

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

COMMISSION MEMBERS

Teresa Spicer, District I
Brit Adams, District III
Gary Gaulin, District V
Mickey Haney, At-Large

David Nix, District II
Frankie Pearson, Chairman, District IV
Mike Johnson, Vice Chair, At-Large

AGENDA

6:00 pm, Monday September 7, 2023

Council Chambers - Oconee County 415 S Pine St, Walhalla SC 29691

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Approval of minutes from August 21, 2023
5. Public Comment for Non-Agenda Items (4 minutes per person)
6. Commission Member Comments
7. Staff Comments
8. Discussion of Comprehensive Plan Goals for 2023, chapters 9 and 10
 - a. Public Comment
 - b. Discussion/ vote
9. Discussion regarding SC Right to Farm Act
 - a. Public Comment
 - b. Discussion/ vote
10. Discussion regarding County and State Roads
 - a. Public Comment
 - b. Discussion/ vote
11. Adjourn

If you are not able to attend in person and you have a comment, you may submit it by contacting the Planning Department at planninginfo@oconeesc.com or 864-638-4218, so that we may receive your comment and read it into the record. Meetings available on YouTube: "YourOconee"

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Minutes

6:00 pm- Monday, August 21, 2023

Council Chambers - Oconee County Administrative Complex

Members

Teresa Spicer

Brit Adams

Gary Gaulin

Mike Johnson - Absent

David Nix

Frankie Pearson

Mickey Haney – Via Phone

Staff Present

James Coley, Planning Director

Elise Dunaway, Assistant to Planning & Codes

1. Call to order – Mr. Pearson called meeting to order at 6:00 PM.
2. Invocation was led by Mr. Nix.
3. Pledge of Allegiance was led by Mr. Gaulin.
4. Approval of minutes from August 7, 2023 – Mr. Gaulin made a motion to approve the minutes; seconded by Mr. Nix. Approved unanimously 5/0 (Mr. Haney had not joined yet)
5. Public comment (non-agenda items): None
6. Commission member comments:
Ms. Spicer reviewed an article from The Journal published Friday, August 18, 2023 regarding Mr. Glenn Hart calling for billboard moratorium to end and suggested the Planning Commission review the topic. Discussion followed.
7. Mr. Pearson made a motion to have the billboard ordinance put on the agenda for the planning commission to review. Seconded by Ms. Spicer. Motion Failed 3/3.

Mr. Gaulin informed the commission that the Keep Oconee Beautiful Association (KOBA) is sponsoring a photo competition and challenged all the commission members to participate in litter clean up and/ or become members of KOBA.

Mr. Haney joined the meeting via phone during commission member comments at 6:03PM.
8. Staff comments:
Mr. Coley reminded the members that the next Planning Commission meeting is on Thursday, September 7, 2023.

9. Discussion of Comprehensive Plan Goals for 2023, Chapter 6.

a. Public Comment: None

b. Discussion / Vote:

Ms. Spicer made a motion that Chapter 6 of the Comprehensive Plan has been reviewed. Seconded by Mr. Nix. Approved 6/0.

10. Discussion regarding Agricultural II Zoning District.

a. Public Comment: None

b. Discussion / Vote:

Mr. Haney made a motion to amend the motion to revamp the ordinance to an Agricultural Control Free District ordinance and remove all restrictions that are currently in the ordinance so it remains control free. Motion failed due to lack of a second Discussion Followed.

Mr. Pearson made a motion to send the Agricultural II Zoning District proposal to County Council Seconded by Mr. Gaulin. Approved 4/2 (Haney and Adams against).

11. Adjourn – The meeting was unanimously adjourned at 6:44 PM.

C204

C202

C201

C203

AREA BREAKDOWN		
AREA	DESCRIPTION	ACREAGE
A	OPEN SPACE	0.38 ACRES
B	PARK	0.48 ACRES
C	PARK	0.64 ACRES
D	OPEN SPACE	0.36 ACRES

- NOTES:**
- TOTAL SITE AREA: 64.9 [ACRES]
 - 64.9 ACRES RESIDENTIAL
 - TOTAL RESIDENTIAL LOTS/UNITS: 240
 - SINGLE FAMILY: 204 (55' X 115')
 - TOWNHOME: 36 (28.25' X 102')
 - PROPOSED WATER SUPPLY WILL BE PROVIDED BY SENECA LIGHT AND WATER.
 - PROPOSED SANITARY SEWER SERVICES WILL BE PROVIDED BY SENECA LIGHT AND WATER.
 - PROPOSED SANITARY SEWER TREATMENT WILL BE PROVIDED BY OCOONE JOINT REGIONAL SEWER AUTHORITY AND WILL BE TREATED AT THE CONERROSS CREEK WASTEWATER TREATMENT PLANT.
 - PROPOSED ELECTRIC SERVICES WILL BE PROVIDED BY DUKE ENERGY.
 - PROPOSED GAS SERVICES WILL BE PROVIDED BY FORT HILL NATURAL GAS.
 - PROPOSED COMMUNICATION SERVICES WILL BE PROVIDED BY AT&T AND/OR VYVE.
 - CURRENT SITE ZONING: CONTROL FREE DISTRICT (CFD)
 - PERPETUAL MAINTENANCE AGREEMENT SHALL BE PROVIDED FOR HOA TO MAINTAIN PROPOSED CONCRETE SIDEWALK LOCATED WITHIN ROAD RIGHTS-OF-WAY. SIDEWALK IN RIGHT-OF-WAY PENDING APPROVAL FROM OCOONE COUNTY COUNSEL.

- PARCEL SETBACKS PER AREA:**
- GREATER THAN OR EQUAL TO 1/2 ACRE
 - FRONT SETBACK: 25'
 - SIDE SETBACK: 5'
 - REAR SETBACK: 10'
 - 1/2 ACRE TO 1/4 ACRE
 - FRONT SETBACK: 15'
 - SIDE SETBACK: 5'
 - REAR SETBACK: 5'
 - LESS THAN 1/4 ACRE
 - FRONT SETBACK: 10'
 - SIDE SETBACK: 5'
 - REAR SETBACK: 5'

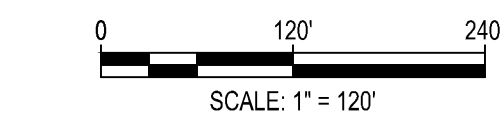
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CURB AND GUTTER	
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RETAINING WALL	
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EXISTING CONTOUR - MINOR	
OPEN AREA	
WETLANDS	
SIDEWALK	
WETLANDS BUFFER	
SINGLE FAMILY UNIT	
KEOWEE OVERLAY	

ENGINEER

- DAVIS & FLOYD, INC
- GREG MCLEHANNON
- 184 MILESTONE WAY, SUITE 200
- GREENVILLE, SOUTH CAROLINA 29615
- (864) 527-9800

OWNER

- GREENSHORE DEVELOPMENT, LLC
- JIM SHIVERS
- 201 TIMBERLEAF DRIVE
- DUNCAN, SOUTH CAROLINA 29334
- (615) 712-4135



PROJECT DATUM INFORMATION:

HORIZONTAL DATUM: SC83IF
 VERTICAL DATUM: NAVD88



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DAVIS & FLOYD

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GREENVILLE, SC 29615
(864) 527-9800

GREENSHORE DEVELOPMENT, LLC.

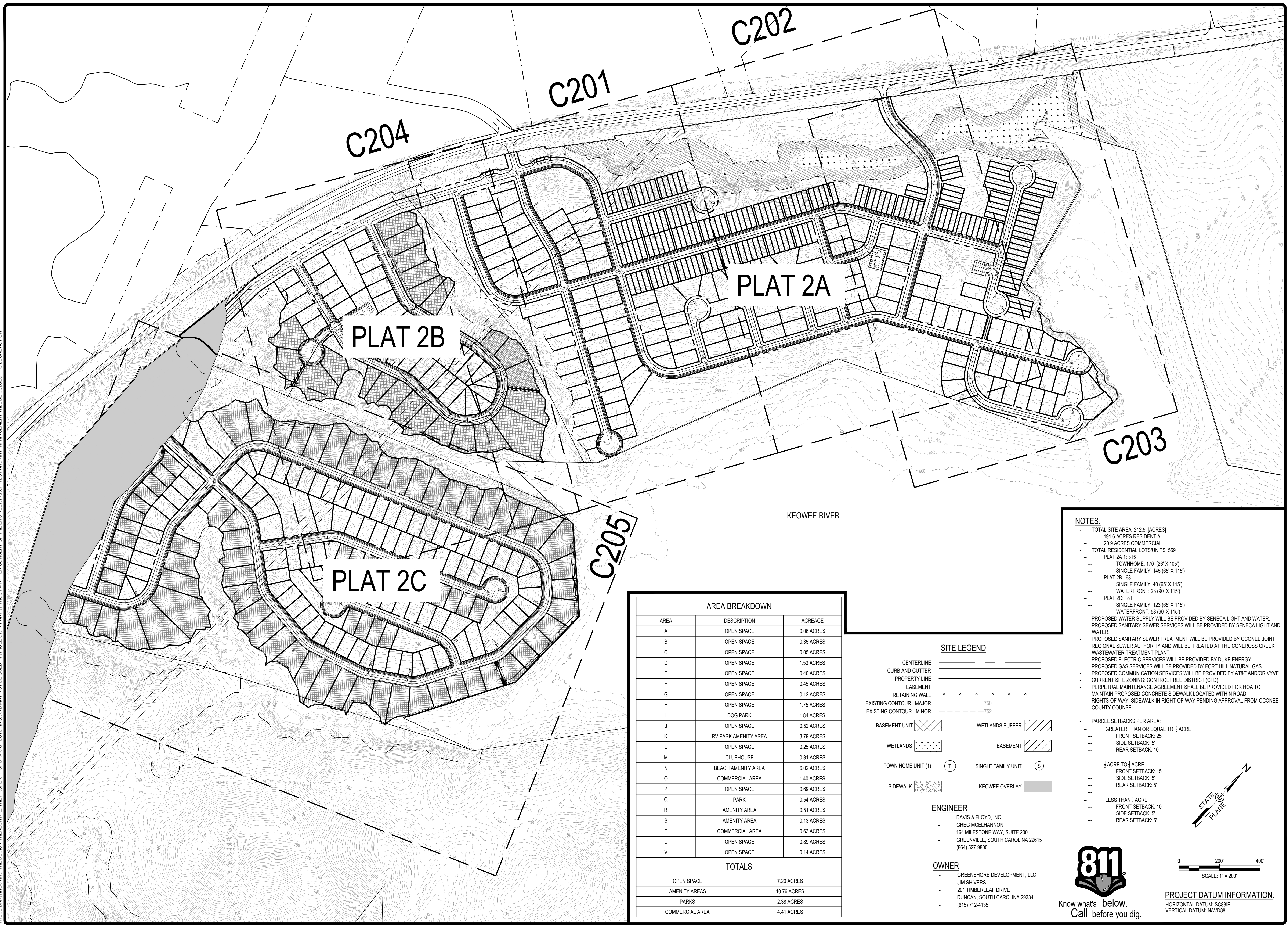
184 N. DANIEL MORGAN AVE., SPARTANBURG, SOUTH CAROLINA 29306

WATERS EDGE RESERVE AT KEOWEE RIVER

**SKETCH PLAN - GRID INDEX
PLAT 1**

NO.	DATE	DESCRIPTION
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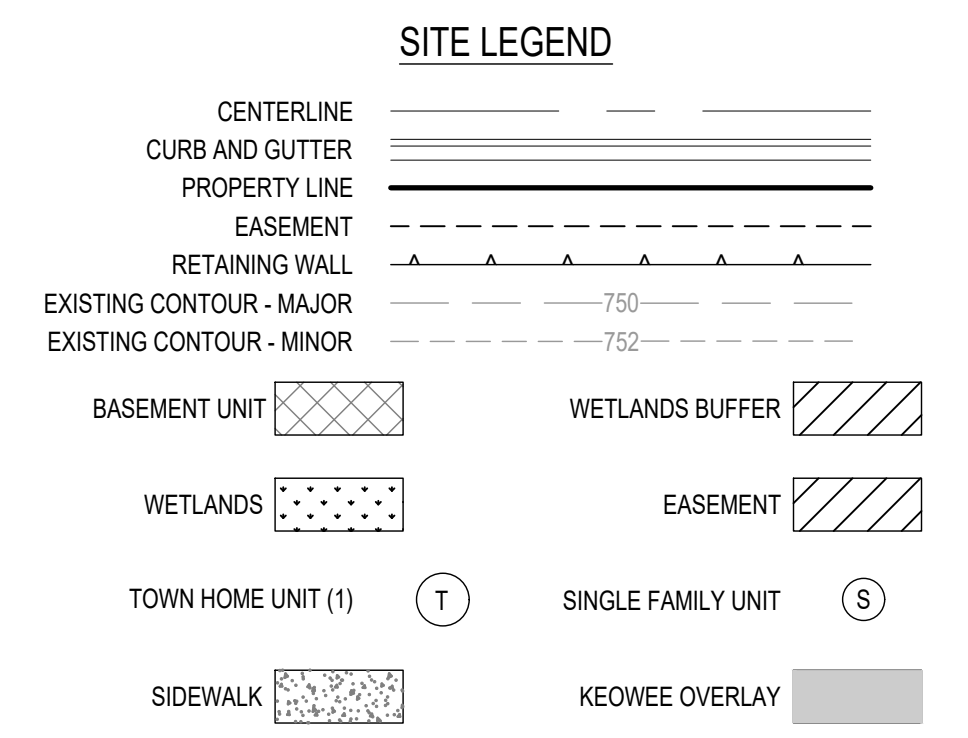
PLAT 2B

PLAT 2A

PLAT 2C

KEOWEE RIVER

AREA BREAKDOWN		
AREA	DESCRIPTION	ACREAGE
A	OPEN SPACE	0.06 ACRES
B	OPEN SPACE	0.35 ACRES
C	OPEN SPACE	0.05 ACRES
D	OPEN SPACE	1.53 ACRES
E	OPEN SPACE	0.40 ACRES
F	OPEN SPACE	0.45 ACRES
G	OPEN SPACE	0.12 ACRES
H	OPEN SPACE	1.75 ACRES
I	DOG PARK	1.84 ACRES
J	OPEN SPACE	0.52 ACRES
K	RV PARK AMENITY AREA	3.79 ACRES
L	OPEN SPACE	0.25 ACRES
M	CLUBHOUSE	0.31 ACRES
N	BEACH AMENITY AREA	6.02 ACRES
O	COMMERCIAL AREA	1.40 ACRES
P	OPEN SPACE	0.69 ACRES
Q	PARK	0.54 ACRES
R	AMENITY AREA	0.51 ACRES
S	AMENITY AREA	0.13 ACRES
T	COMMERCIAL AREA	0.63 ACRES
U	OPEN SPACE	0.89 ACRES
V	OPEN SPACE	0.14 ACRES
TOTALS		
OPEN SPACE		7.20 ACRES
AMENITY AREAS		10.76 ACRES
PARKS		2.38 ACRES
COMMERCIAL AREA		4.41 ACRES

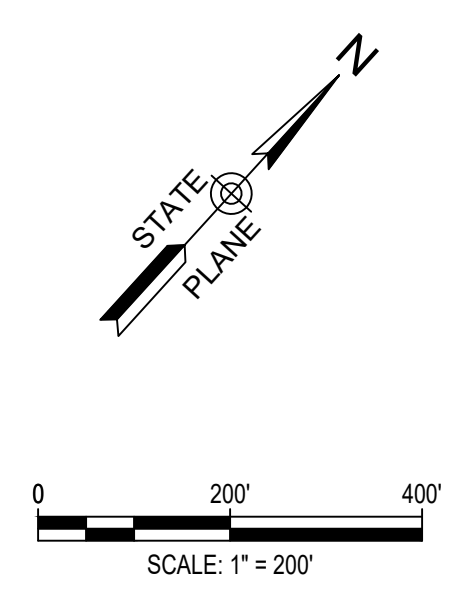


ENGINEER
 DAVIS & FLOYD, INC.
 GREG MCELHANNON
 164 MILESTONE WAY, SUITE 200
 GREENVILLE, SOUTH CAROLINA 29615
 (864) 527-8800

OWNER
 GREENSHORE DEVELOPMENT, LLC
 JIM SHIVERS
 201 TIMBERLEAF DRIVE
 DUNCAN, SOUTH CAROLINA 29334
 (615) 712-4135

NOTES:

- TOTAL SITE AREA: 212.5 (ACRES)
- 191.6 ACRES RESIDENTIAL
- 20.9 ACRES COMMERCIAL
- TOTAL RESIDENTIAL LOTS/UNITS: 559
- PLAT 2A: 1: 315
 TOWNHOME: 170 (26' X 105')
 SINGLE FAMILY: 145 (65' X 115')
- PLAT 2B: 63
 SINGLE FAMILY: 40 (65' X 115')
 WATERFRONT: 23 (80' X 115')
- PLAT 2C: 181
 SINGLE FAMILY: 123 (65' X 115')
 WATERFRONT: 58 (90' X 115')
- PROPOSED WATER SUPPLY WILL BE PROVIDED BY SENECA LIGHT AND WATER.
- PROPOSED SANITARY SEWER SERVICES WILL BE PROVIDED BY SENECA LIGHT AND WATER.
- PROPOSED SANITARY SEWER TREATMENT WILL BE PROVIDED BY OCOOEE JOINT REGIONAL SEWER AUTHORITY AND WILL BE TREATED AT THE CONROSS CREEK WASTEWATER TREATMENT PLANT.
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- PARCEL SETBACKS PER AREA:
 GREATER THAN OR EQUAL TO 1/2 ACRE
 FRONT SETBACK: 25'
 SIDE SETBACK: 5'
 REAR SETBACK: 10'
- 1/2 ACRE TO 1/4 ACRE
 FRONT SETBACK: 15'
 SIDE SETBACK: 5'
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- LESS THAN 1/4 ACRE
 FRONT SETBACK: 10'
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PROJECT DATUM INFORMATION:
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 VERTICAL DATUM: NAVD88

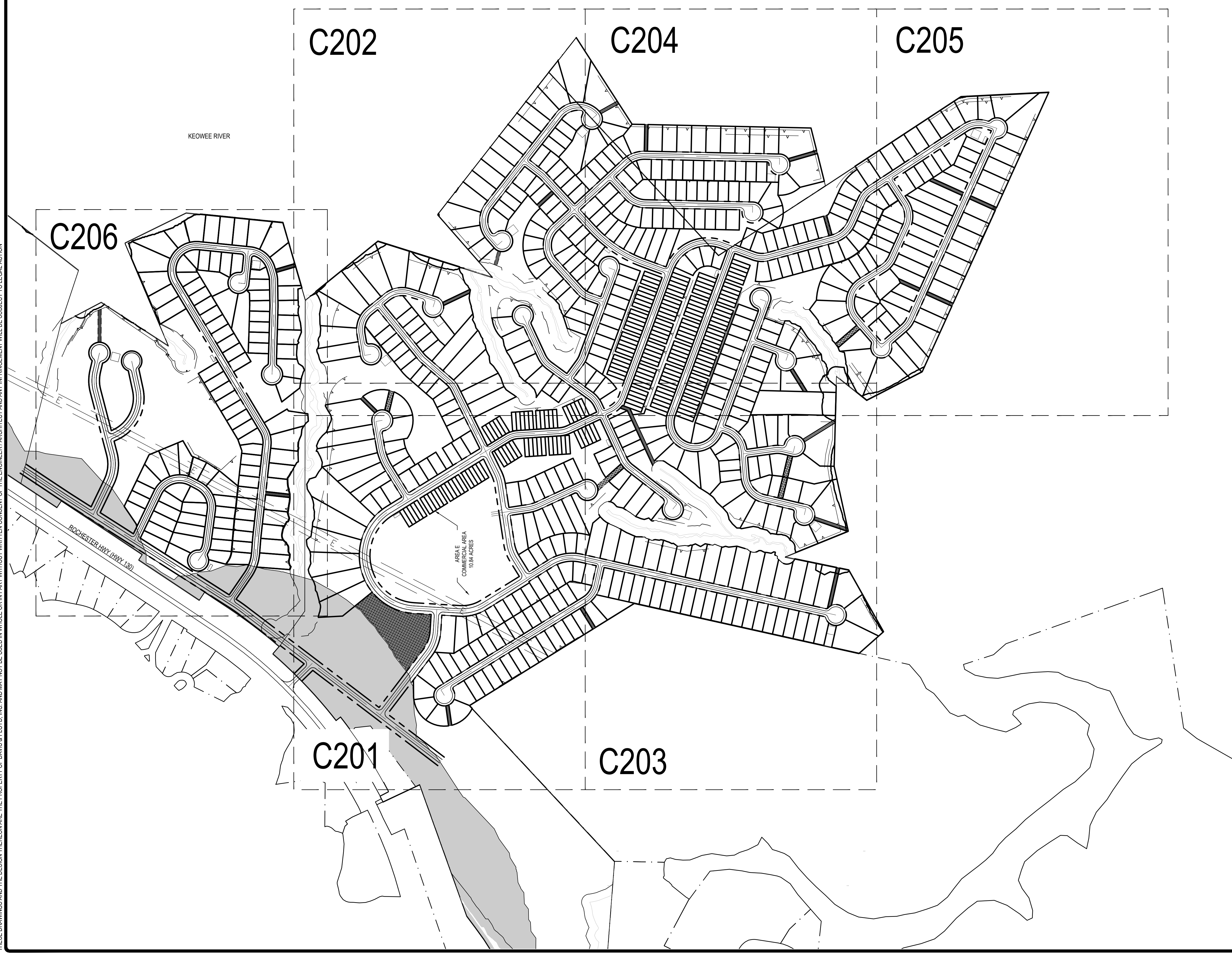
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GREENSHORE DEVELOPMENT, LLC.
 184 N. DANIEL MORGAN AVE., SPARTANBURG, SOUTH CAROLINA 29306
 PROJECT TITLE
THE BAY SHORE AT KEOWEE RIVER

SKETCH PLAN - GRID INDEX
PLAT 2A

NO.	DATE	DESCRIPTION	BY	CHECKED	DATE
1	ISSUED FOR REVIEW				
2	04/5019.00				
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NOTES:

- TOTAL SITE AREA: 331 [ACRES]
- 291 ACRES RESIDENTIAL
- 40 ACRES COMMERCIAL
- TOTAL RESIDENTIAL LOTS: 775
- SINGLE FAMILY : 435
- WATER FRONT : 162
- TOWNHOME : 178
- PROPOSED WATER SUPPLY WILL BE PROVIDED BY SENECA LIGHT AND WATER.
- PROPOSED SANITARY SEWER SERVICES WILL BE PROVIDED BY SENECA LIGHT AND WATER.
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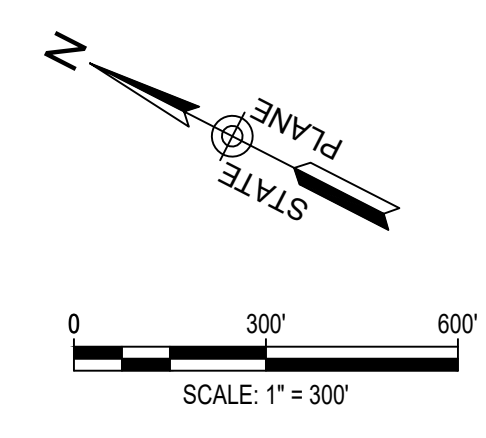
- ≥ 1/2 ACRE
 - FRONT SETBACK: 25'
 - SIDE SETBACK: 5'
 - REAR SETBACK: 10'
- 1/2 ACRE TO 1/4 ACRE
 - FRONT SETBACK: 15'
 - SIDE SETBACK: 5'
 - REAR SETBACK: 5'
- < 1/4 ACRE
 - FRONT SETBACK: 10'
 - SIDE SETBACK: 5'
 - REAR SETBACK: 5'

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SITE LEGEND

- CENTERLINE
- CURB AND GUTTER
- PROPERTY LINE
- RETAINING WALL
- EXISTING CONTOUR - MAJOR 750
- EXISTING CONTOUR - MINOR 752
- BASEMENT UNIT
- WETLANDS
- WATERFRONT UNIT
- SIDEWALK
- SINGLE FAMILY UNIT (S)
- WETLANDS BUFFER
- TOWNHOME UNIT (T)
- KEOWEE OVERLAY



PROJECT DATUM INFORMATION:
HORIZONTAL DATUM: SC83IF
VERTICAL DATUM: NAVD88

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(864) 527-9801

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184 N. DANIEL MORGAN AVE., SPARTANBURG, SOUTH CAROLINA 29306
PROJECT TITLE
THE PINNACLE AT KEOWEE RIVER

SKETCH PLAN - INDEX
PLAT 4

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9. TRANSPORTATION

Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation	Date Completed
Goal 9.2. Upgrade and maintain the County road system in a manner that meets the needs of the growing population and provides safe and efficient routes through the County.			
Objective 9.2.1. Meet current and future need for quality transportation facilities throughout the County.			
<u>Strategy 9.2.1.6.</u> Continue to require developers to provide traffic studies to determine if a road must be upgraded to safely handle increased traffic loads and to cover the cost of such road upgrades.	<ul style="list-style-type: none"> Oconee County 	2023	
<u>Strategy 9.2.1.8.</u> Upgrade County roads that were built prior to current standards and align roads that pose safety hazards, if feasible.	<ul style="list-style-type: none"> Oconee County 	Annually	
Goal 9.3. Provide a safe, efficient, and accessible multi-modal transportation system.			
Objective 9.3.1. Provide and maintain a safe, efficient, and interconnected roadway network.			
<u>Strategy 9.3.1.1.</u> Encourage connected street systems within new developments and between new and existing developments.	<ul style="list-style-type: none"> Oconee County Municipalities 	2023	
<u>Strategy 9.3.1.2.</u> Explore incentives or requirements that increase the connectivity of local, connector, and arterial components of the County's roadway network.	<ul style="list-style-type: none"> Oconee County Municipalities Developers 	Annually	
Objective 9.3.2. Provide and maintain adequate, safe, and accessible trails, sidewalks and bicycle lanes in appropriate areas to promote alternative modes of travel by residents and visitors and to promote ecotourism opportunities.			
<u>Strategy 9.3.2.1.</u> Provide and encourage pedestrian and bicycle connectivity between existing and planned residential, parks and recreation areas, trails, public facilities, and commercial and industrial uses that will enable alternative transportation opportunities.	<ul style="list-style-type: none"> Oconee County Developers Municipalities Trail and Park Providers 	2023	
<u>Strategy 9.3.2.3.</u> Seek funding opportunities to create nature trails, sidewalks, bicycle lanes, and other facilities designed to make communities more walkable, reduce vehicular traffic, and improve safety for pedestrians and cyclists.	<ul style="list-style-type: none"> Oconee County Municipalities SCPRT Community Partners 	2023	
Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation	Date Completed
<u>Strategy 9.3.3.7.</u> Work with public transportation providers to increase their rideshare and coverage to impact as many potential riders as possible.	<ul style="list-style-type: none"> Oconee County City of Seneca Clemson Area Transit 	2023	

10. PRIORITY INVESTMENT

Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation	Date Completed
Goal 10.1. Identify and prioritize long range public infrastructure and facilities needs.			
Objective 10.1.1. Continue to plan for and prioritize public infrastructure and facilities needs.			
<u>Strategy 10.1.1.2.</u> Review, update, and adopt the Infrastructure Master Plan.	<ul style="list-style-type: none"> Oconee County 	Annually	

Strategy 10.1.1.4. Create and update plans and cost estimates that address specific infrastructure priorities with accurate inventories and analyses of existing county conditions	• Oconee County	Annually	
Strategy 10.1.1.6. Prioritize infrastructure and facilities needs and capital investment.	• Oconee County	Annually	
Objective 10.1.2. Continue a comprehensive capital projects planning and implementation process to address future conditions and needs.			
Strategy 10.1.2.1. Encourage development in a way that protects and preserves our natural resources	• Oconee County	On-Going	
Strategy 10.1.2.2. Manage development in a manner that ensures our natural resources and lifestyle enhance sustainable economic growth and job opportunities	• Oconee County	On-Going	
Strategy 10.1.2.3. Promote and enhance access to affordable housing through both public and private cooperation	• Oconee County • Housing Developers	On-Going	
Strategy 10.1.2.5. Regularly review public safety needs and enhance facilities as required and needed.	• Oconee County	Annually	
Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation	Date Completed
Strategy 10.1.2.7. Upgrade and maintain the County road system in a manner that meets the needs of Oconee County's growing population and provides safe and efficient routes through the County	• Oconee County • SCDOT • ACOG	Annually	
Strategy 10.1.2.8. Continue to evaluate and fund public transportation in urbanizing areas of Oconee County, expanding as needed to provide for ongoing growth and development.	• Oconee County • CATbus • SCDOT • ACOG	Annually	
Strategy 10.1.2.13. Maintain and update the County's geographic information system (GIS) and related data	• Oconee County	On-Going	
Objective 10.1.3. Support adjacent jurisdictions and relevant agencies in planning for future public infrastructure and facility's needs.			
Strategy 10.1.3.1. Support and participate in the efforts of Oconee County municipalities in planning for future public infrastructure and facilities needs	• Oconee County • Municipalities	Annually	
Goal 10.2. Pursue funding and partnerships to support identified public infrastructure needs.			
Objective 10.2.1. Explore and evaluate alternative methods of obtaining revenue and grant monies to fund capital improvement and new infrastructure.			
Strategy 10.2.1.3. Explore and pursue other revenue sources such as user-based fees, impact fees, and other sources to help fund infrastructure	• Oconee County	Annually	
Strategy 10.2.1.5. Encourage and seek partnership opportunities to eliminate unnecessary redundancies, strengthen funding proposals, and establish public/private partnerships to meet public infrastructure and facilities needs.	• Oconee County • Municipalities • Adjacent/ Relevant Jurisdictions and Agencies • Private Industries	On-Going	
Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation	Date Completed
Goal 10.3. Coordinate with adjacent jurisdictions and relevant agencies in planning for capital improvements.			
Objective 10.3.1. Notify and coordinate with adjacent and relevant jurisdictions and agencies when recommending projects for the expenditure of funds for public infrastructure and facilities.			

<p><u>Strategy 10.3.1.1.</u> Improve communication and cooperation between the County and municipalities, state and federal agencies, and other public and private entities.</p>	<ul style="list-style-type: none"> • Oconee County 	On-Going	
<p><u>Strategy 10.3.1.2.</u> Coordinate with adjacent and relevant jurisdictions and agencies on updates to the Oconee County <i>Priority Investment Element</i> .</p>	<ul style="list-style-type: none"> • Oconee County • Municipalities • Adjacent/ Relevant Jurisdictions and Agencies 	Annually	

South Carolina Legislature

South Carolina Law > Code of Laws > Title 46

South Carolina Code of Laws Unannotated

Title 46 - Agriculture

CHAPTER 45

Nuisance Suits Related to Agricultural Operations

Editor's Note

2006 Act No. 290, Section 2, provides in part as follows:

"This act does not apply to any license or permit application for which a Department of Health and Environmental Control decision is made prior to the effective date."

SECTION 46-45-10. Legislative findings.

The General Assembly finds that:

- (1) The policy of the State is to conserve, protect, and encourage the development and improvement of its agricultural land and facilities for the production of food and other agricultural products.
- (2) When nonagricultural land uses extend into agricultural areas, agricultural operations often become the subject of nuisance suits and as a result (a) agricultural facilities are sometimes forced to cease operations, and (b) many persons are discouraged from making investments in farm improvements or adopting new technology or methods.
- (3) This chapter is enacted to reduce the loss to the State of its agricultural resources by limiting the circumstances under which agricultural facilities and operations may be considered a nuisance.
- (4) The purpose of this chapter is to lessen the loss of farmland caused by common law nuisance actions which arise when nonagricultural land uses expand into agricultural areas. This purpose is justified by the stated social desire of preserving and encouraging agricultural production.
- (5) With the exception of new swine operations and new slaughterhouse operations, in the interest of homeland security and in order to secure the availability, quality, and safety of food produced in South Carolina, it is the intent of the General Assembly that state law and the regulations of the Department of Health and Environmental Control pre-empt the entire field of and constitute a complete and integrated regulatory plan for agricultural facilities and agricultural operations as defined in Section 46-45-20, thereby precluding a county from passing an ordinance that is not identical to the state provisions.

HISTORY: 1980 Act No. 452; 1990 Act No. 442, Section 1, eff April 24, 1990; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-20. Definitions.

(A) For purposes of this chapter, "agricultural facility" includes, but is not limited to, any land, building, structure, pond, impoundment appurtenance, machinery, or equipment which is used for the commercial production or processing of crops, trees, livestock, animals, poultry, honeybees, honeybee products, livestock products, poultry products, or products which are used in commercial aquaculture.

(B) For purposes of this chapter "agricultural operation" means:

- (1) the plowing, tilling, or preparation of soil at the agricultural facility;
- (2) the planting, growing, fertilizing, or harvesting of crops, ornamental horticulture, floriculture, and turf grasses;
- (3) the application of pesticides, herbicides, or other chemicals, compounds, or substances to crops, weeds, or soil in connection with the production of crops, livestock, animals, or poultry;
- (4) the breeding, hatching, raising, producing, feeding, keeping, slaughtering, or processing of livestock, hogs, aquatic animals, equines, chickens, turkeys, poultry, or other fowl normally raised for food, mules, cattle, sheep, goats, rabbits, or similar farm animals for commercial purposes;
- (5) the production and keeping of the honeybees, the production of honeybee products, and honeybee processing facilities;
- (6) the production, processing, or packaging of eggs or egg products;
- (7) the manufacturing of feed for poultry or livestock;
- (8) the rotation of crops;
- (9) commercial aquaculture;
- (10) the application of existing, changed, or new technology, practices, processes, or procedures to an agricultural operation;
- (11) the operation of a roadside market; and
- (12) silviculture.

(C) For purposes of this chapter "new swine operations" means: porcine production operations not in existence on June 30, 2006.

(D) For purposes of this chapter, "new slaughterhouse operations" means agricultural operations that:

- (1) are established after this chapter's effective date; and
- (2) slaughter or process more than two hundred million pounds of livestock, hogs, aquatic animals, equine, chickens, turkeys, poultry, or other fowl normally raised for food, mules, cattle, sheep, goats, rabbits, or similar farm animals for commercial purposes.

(3) a ~~law~~ slaughterhouse operation does not include a slaughterhouse located within the corporate limits of a city that relocates within that same county.

HISTORY: 1980 Act No. 452; 1990 Act No. 442, Section 1, eff April 24, 1990; 1992 Act No. 473, Section 1, eff June 18, 1992; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-40. Established date of operation.

For the purposes of this chapter, the established date of operation is the date on which an agricultural operation commenced operation. If the physical facilities of the agricultural operation are expanded subsequently or new technology adopted, the established date of operation for each change is not a separately and independently established date of operation and the commencement of the expanded operation does not divest the agricultural operation of a previously established date of operation.

HISTORY: 1990 Act No. 442, Section 1, eff April 24, 1990; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-50. Liability for pollution and flooding.

The provisions of Section 46-45-70 do not affect or defeat the right of a person to recover damages for any injuries or damages sustained by him because of pollution of, or change in condition of, the waters of a stream or because of an overflow on his lands.

HISTORY: 1980 Act No. 452; 1976 Code Section 46-45-40; 1990 Act No. 442, Section 1, eff April 24, 1990; 2002 Act No. 340, Section 11, eff June 30, 2002; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-60. Local ordinances to contrary null and void.

(A) Notwithstanding any local law or ordinance, an agricultural operation or facility is considered to be in compliance with the local law or ordinance if the operation or facility would otherwise comply with state law or regulations governing the facility or operation. With the exception of new swine operations and new slaughterhouse operations, to the extent an ordinance of a unit of local government:

(1) attempts to regulate the licensing or operation of an agricultural facility in any manner that is not identical to the laws of this State and regulations of the Department of Health and Environmental Control and amendments thereto;

(2) makes the operation of an agricultural facility or an agricultural operation at an agricultural facility a nuisance or providing for abatement as a nuisance in derogation of this chapter; or

(3) is not identical to state law and regulations governing agricultural operations or agricultural facilities, is null and void. The provisions of this section do not apply whenever a nuisance results from the negligent, illegal, or improper operation of an agricultural facility. The provisions of this section do not apply to an agricultural facility or agricultural operation at an agricultural facility located within the corporate limits of a city.

(B) The provisions of this section shall not preclude any right a county may have to determine whether an agricultural use is a permitted use under the county's land use and zoning authority; provided, if an agricultural facility or an agricultural operation is a permitted use, or is approved as a use pursuant to any county conditional use, special exception or similar county procedure, county development standards, or other ordinances that are not identical with the laws of this State or the regulations of the Department of Health and Environmental Control are null and void to the extent they (a) apply to agricultural operations or facilities otherwise permitted by this chapter, the laws of this State, and the regulations of the Department of Health and Environmental Control, and (b) are not identical to this chapter, the laws of this State, and the regulations of the Department of Health and Environmental Control.

HISTORY: 1980 Act No. 452; 1976 Code Section 46-45-50; 1990 Act No. 442, Section 1, eff April 24, 1990; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-70. Established agricultural facility as nuisance; changed conditions in surrounding locality.

No established agricultural facility or any agricultural operation at an established agricultural facility is or may become a nuisance, private or public, by any changed conditions in or about the locality of the facility or operation. This section does not apply whenever a nuisance results from the negligent, improper, or illegal operation of an agricultural facility or operation.

HISTORY: 2002 Act No. 340, Section 6, eff June 30, 2002; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-80. Setback distances; waiver.

Any setback distances given in R. 61-43, Standards for Permitting of Agricultural Animal Facilities, are minimum siting requirements as established by the Department of Health and Environmental Control. As long as the established setbacks are achieved, the department may not require additional setback distances. Such distances from property lines or residences may be waived or reduced by written consent of the adjoining property owners. All animal facilities affected by these setback provisions must have an evergreen buffer between the facility and the affected residence as established by DHEC unless otherwise agreed to in writing by the adjoining landowners.

HISTORY: 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006); 2018 Act No. 139 (H.3929), Section 3, eff March 12, 2018.

Editor's Note

2018 Act No. 139, Section 4, provides as follows:

"SECTION 4. Nothing in this act shall be construed as affecting or applying to confined swine feeding operations."

Effect of Amendment

2018 Act No. 139, Section 3, in the second sentence, inserted "As long as the established setbacks are achieved," and substituted "the department may not require additional setback distances" for "The department may require additional setback distances on a case-by-case basis considering the factors set forth in the regulation"; in the third sentence, inserted "from property lines or residences" and deleted ", or otherwise without consent of the adjoining property owners, when there are innovative and alternative technologies approved by the department pursuant to the Innovative and Alternative Technologies Section of R. 61-43" following "adjoining property owners"; and in the fourth sentence, substituted "All animal facilities" for "All agricultural animal facilities" and "must have an evergreen buffer" for "must have a vegetative buffer".

County Right-to-Farm Ordinances in California: An Assessment of Impact and Effectiveness

Matthew Wacker, Alvin D. Sokolow and Rachel Elkins¹

When first adopted by California local governments in the 1980s, right-to-farm ordinances were seen by many farm leaders, real estate people, and public officials as an easy response to the problem of urban growth encroaching on adjacent farm operations. Such measures have little regulatory effect, but seek to reduce the opposition of urban neighbors to commercial agriculture as a nuisance generator. Most ordinances require that homebuyers who move to parcels adjacent to or near working farms and ranches be notified about the possible negative impacts of agricultural activities. In this way, the theory goes, new residents—especially those unfamiliar with rural living—would effectively learn about the realities of modern farming and would be less inclined to complain, or even go to court, about sprays, dust, odors, noise and other aspects of agricultural activities. The normal practices of farmers and ranchers would thus be protected.

The local ordinances are now widespread throughout California's agricultural regions. About 40 counties

and 50 cities currently have these measures. Despite their popularity, questions are frequently raised about the effectiveness of right-to-farm ordinances in protecting agricultural operations and reducing farm-urban edge conflicts. The two principal reasons are: (1) considerable variation in implementation from one jurisdiction to another, and (2) the generally benign and undemanding character of disclosure requirements, as compared to the more stringent regulatory tools of zoning, buffers, and subdivision review.

This assessment is based on a comparative study of county-adopted ordinances and their implementation in 15 agricultural counties² located in Central Valley and coastal regions³. (This study does not cover city ordinances which apply just to areas within incorporated boundaries.) We examined each of the county ordinances and conducted phone interviews with about 40 knowledgeable local persons, including agricultural commissioners, county planners, agricultural (Farm Bureau) leaders, real estate representatives, and UC Cooperative Extension staff.

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² The counties are Butte, Colusa, Fresno, Mendocino, Merced, Monterey, Napa, San Benito, San Joaquin, Solano, Sonoma, Stanislaus, Sutter, Tulare, and Yolo.

³ The project was funded by an internship grant from the California Communities Program at UC Davis, and was initiated at the request of agricultural and other leaders in Lake County. This report benefits from suggestions made by several outside reviewers, including a county ag commissioner and staff attorneys of the CFBF.

Following a description of ordinances, this Issues Brief summarizes local perceptions about the performance of the ordinances in the 15 sample counties and then examines in greater detail the provisions that deal with grievance procedures and disclosure requirements.

Origins and Content

As a tool to protect farmers from nuisance lawsuits by neighbors, right-to-farm ordinances have existed for almost 40 years in the United States. Local ordinances in California date from the early 1980s. Although they fall within the regular police powers (the ability to regulate) of county and city governments, the local measures were partly stimulated by passage in 1981 of a state statute (Sect. 3482.5 of the California Civil Code) that declares that a farm in operation for more than three years is not to be considered a nuisance due to changed conditions (urbanization) in the area. In 1989 the legislature went further by allowing counties and cities to require realtors to disclose to property buyers particular conditions of the property, including the possible negative impacts of nearby farming (Civil Code Section 1102.6a). The California Farm Bureau prepared a model right-to-farm ordinance at about that time, and most counties and cities have since followed the model language in adopting their own ordinances.

Most county right-to-farm ordinances thus have similar contents. Four major provisions are common: (1) a statement of purpose, (2) definitions of agricultural operations and farmland, (3) limitation on agricultural nuisances, and (4) agricultural disclosure requirements. A few ordinances also provide for a formal grievance procedure. Box 1 describes these ordinance provisions, and Box 2 (page 8) shows a sample disclosure requirement from the Farm Bureau model.

Within this common framework, ordinances differ from county to county in detail and added topics. Disclosure provisions, for example, vary a great deal according to when and how notification about nearby agricultural conditions is supposed to be provided. As adopted and sometimes changed by boards of

Box 1

Common Ordinance Provisions

Statement of Purpose

Generally a policy statement outlining the intent of the ordinance—to preserve agricultural operations, promote a good-neighbor policy between farm and other landowners, or to affirm the county’s commitment to agriculture as a component of the local economy.

Definitions

For legal clarity, an agricultural operation is defined according to the state code. Farmland is defined by location in an agricultural zone; a few counties define it more broadly as land that currently or potentially supports active agricultural operations.

Nuisance

Usually a reference to the state code that prohibits a nuisance finding if the agricultural operation is conducted according to established farming practices, has existed at the same location for more than three years, and does not infringe upon a public right-of-way. Some counties reduce the time requirement to one year.

Disclosure

A requirement that a potential purchaser of property near farming or the developer of residential property in such an area be notified of the impacts of the agricultural operation.

Grievance Procedures

Formal procedures in some counties for resolving complaints against agricultural operations, usually involving mediation by a committee whose organization and timing may be specified.

supervisors—county legislative bodies— ordinance language is a product of local priorities and political pressures.

Perceived Impacts

What do county officials and others say about the operations and impacts of the right-to-farm ordinances in their communities? In brief phone interviews, we asked 40 persons in the 15 sample counties about their understanding of the provisions of the local ordinance, their perceptions of the impacts, benefits, and limitations of the ordinance, and their views of how it related to land use issues pertaining to the agricultural-urban edge. Here is a summary of their comments about several key aspects of the ordinances and their implementation.

Right-to-farm ordinances are primarily education tools.

The ordinances mainly serve to inform and educate residents about the local value of agriculture, according to the great majority of persons we interviewed. The major intention is to tell homebuyers about the consequences of locating in agricultural areas, but the audiences of the information also include the community at large and farmers themselves. The ordinances generally seem to accomplish this purpose, although their informational impacts vary by county and depend on specific provisions and implementation. A county agricultural commissioner and a Farm Bureau leader, respectively, described the benefits in these terms:

“(The ordinance) reminds the public and the Board of Supervisors that the county wishes to preserve agriculture. It sets the tone, raises awareness.”

“It puts buyers on notice that the county values agriculture and there are certain things they have to be prepared to accept.”

Ordinances are a useful tool for county officials who deal with complaints about agricultural practices.

The local public officials we interviewed liked that the ordinances asserted as a policy matter the importance of agriculture in their counties. This gave county officials a firm factual basis on which to respond to complaints from residential neighbors, when combined with the nuisance and disclosure

language. An agricultural commissioner noted:

“It gives me a way to frame the discussion between growers and residents....to try to get people to talk as neighbors.”

Often this meant that minor complaints could be prevented from escalating into major issues and even lawsuits.

A right-to-farm ordinance is not a substitute for good land use planning.

Whatever its benefits, none of our respondents believed that a right-to-farm ordinance was a technique for determining land uses or defining urban-agricultural edges. The ordinances are not regulatory tools; they lack the planning and urban development power of agricultural zoning, general plans, and subdivision controls.

Right-to-farm ordinances do not insulate farmers from lawsuits nor do they provide farmers with rights not already codified in state law.

While a right-to-farm ordinance may serve to resolve many small complaints, it will not prevent a farmer from being sued over an agricultural practice, even one that is covered under the ordinance as a normally accepted farming practice. As a Farm Bureau representative indicated, if a neighbor wants to sue a farmer over an agricultural nuisance complaint, there is nothing a right-to-farm ordinance can do to prevent that action. We also heard from local officials who believed the term “right-to-farm” was a misnomer, wrongly implying that farmers have all the rights and homeowners have none in edge conflicts. One Farm Bureau leader suggested “agricultural awareness” as a more appropriate label.

There is no clear evidence that the right-to-farm ordinances have reduced the volume of litigation and complaints.

Our respondents were not able to give us a definitive answer to the question of whether lawsuits or other complaints directed against agricultural practices in their counties have decreased in number since the ordinances were adopted. No one could detect a decrease in litigation, although several respondents

said they thought formal complaints to county bodies had declined, but without providing specific information. In fact, lawsuits on agricultural nuisances in California have been rare, whether before or after the appearance of right-to-farm ordinances. Respondents in only six of our 15 sample counties could recall such cases. According to staff attorneys for the California Farm Bureau Federation, only one farm nuisance suit has been decided by a California appellate court in recent years, and that case involved farm operators as both plaintiff and defendant.

County governments exercise little oversight over the implementation of ordinances.

While boards of supervisors enact and revise right-to-farm ordinances, county governments pay little attention to how their provisions are carried out. Respondents were especially critical of the implementation of disclosure requirements for real estate transactions, which is left largely to realtors and title companies. None of the county agencies in our 15 sample counties regularly monitors this process. When disclosure is applied to development approvals or building permits, however, planning and building departments are usually involved. A more general comment about limited oversight concerns the lack of coordination among different county departments. At one time or another, the various county agencies that may be involved in ordinance creation, revision, and execution include the board of supervisors, agricultural commissioner, planning and building, assessor, county counsel, and sheriff.

Grievance Procedures, Formal and Informal

Formal mediation procedures for handling complaints against farm practices are found in the ordinances of six (Colusa, Monterey, San Benito, Solano, Stanislaus, Yolo) of the 15 counties we surveyed. The grievance-handling bodies outlined in these ordinances are either committees drawn from citizens appointed by the board of supervisors, ex officio bodies (agricultural commissioner, planning director, etc.), or a combination of the two. The exception in one county is the planning commission.

At least one county (San Joaquin) uses its agricultural advisory committee for this purpose, although it is not designated in the right-to-farm ordinance.

The formal mediation bodies in the six counties have had little work. Respondents in only two of the counties could recall instances of committee activity in recent years. Solano's group last handled a complaint in 1994, one involving a noisy diesel pump. The committee in Yolo has had only one case, also a noise issue, since it was established in 1991.

Complaints from residential neighbors about agricultural practices actually are more frequent than these committee records suggest. They are handled and usually resolved in the course of the routine business of county departments. Most come to the agricultural commissioners because of their heavy involvement in the agricultural sector through the regulation of chemical use on farms. In the process of dealing with objections to the pesticide spray practices of particular farmers, the commissioners also pick up complaints about noise, dust, odor, and other nuisances. The standard approach is to resolve these complaints through informal methods. One agricultural commissioner explained:

“A lot of my efforts in these issues go to trying to get people to talk as neighbors and work things out like most civilized people should be able to. Often the urban resident just wants to know what's going on. When they hear a noise at night they will know what's going on, or they will know to close their windows at certain times of the day to avoid sprays and dust.”

Variations in Disclosure Requirements

Most discussion about the performance of right-to-farm ordinances in individual counties is focused on the disclosure requirements. How thoroughly affected residents are informed about the consequences of living near agricultural operations depends on the audience and the manner in which notices are distributed. According to the ordinances we reviewed, there are three general approaches to providing disclosure:

- In the annual tax bills sent to all or a portion (typically just in unincorporated areas) of a county's property owners;
- In connection with new development located near agricultural activity, usually when subdivision or parcel maps are approved or building permits are issued by county government;
- As part of a real estate transaction in which residential or other property located near agricultural activity is sold, generally at the time escrow is closed signifying the completion of the purchase.

The notified audience differs—a countywide one composed of all or many property owners in the case of tax bill statements, primarily developers or builders in the instance of development-related notification, and new purchasers of property in the case of real estate transactions. Likewise, the location or degree of responsibility within county government for administering these processes varies. Assessors' offices send out the annual property tax bills and planning and building departments manage development approvals and building permits. For notification through property sales, however, there is no clear county government involvement or oversight. In these cases realtors and title companies handle agricultural disclosures as part of their normal process of working with sellers and buyers to complete transactions.

Ordinances also differ in whether or not they require that the developer/builder or purchaser sign the disclosure notice and it is recorded in the county recorder's office as a designation attached to the property deed. Recordation provides a formal record of the disclosure and ensures that the information will be transmitted to future buyers of the property through the title search process.

As Table 1 (page 7) shows, the 15 county ordinances we reviewed vary greatly in the mix of disclosure methods used. Most employ only one or two of the methods, although recordation is required by 10 of the ordinances. All three approaches are used by three sample counties—Napa, Stanislaus, and Sonoma, with Napa and Sonoma also requiring

recording. Sonoma and Napa counties have had additional, unique components in their disclosure programs. Sheriff's deputies in Sonoma distribute pamphlets about county agriculture to residents, while the Napa Farm Bureau has sent pamphlets to new residents.

Two counties have substantially revised the disclosure requirements in their right-to-farm laws in recent years. In 1994 the Monterey County Board of Supervisors eliminated entirely the disclosure provisions of its ordinance, at the urging of the local real estate industry. On the other hand, the Sonoma County Board of Supervisors in 1999 added disclosure requirements for both development actions and real estate transactions to the original tax bill provision, primarily at the request of the local Farm Bureau.

Illustrated here are the ongoing differences between the views of real estate and farm interests in many agricultural counties over the extent of disclosure requirements. Farmers generally support strong and mandated forms of notification as a way of heading off problems with urban neighbors. Realtors, on the other hand, generally see required notification as discouraging potential home sales and adding to their paperwork burdens, and so prefer minimal or non-mandated disclosure provisions. In at least six of the sample counties, according to respondents, the local real estate industry successfully opposed more detailed or stronger disclosure provisions when the ordinances were first adopted or at later times when changes were proposed. Some title companies also have been reluctant to get involved in the disclosure process because of perceived procedural burdens.

The concerns revolve largely around how disclosures are inserted into real estate transactions. Several of the county officials we interviewed worried about the lack of county government oversight over the private actions of realtors and title companies. A few respondents, however, noted that realtors were obligated under state law and their licenses to disclose such information in the case of other property-related conditions such as potential hazards. They suggested that even in the absence of local ordinance requirements, many realtors would

voluntarily reveal to property buyers the nature of nearby agricultural operations as legal protection against future lawsuits from dissatisfied homebuyers. This seems to be the case in Lake County where most realtors use disclosure statements when selling residential properties in rural areas, although few seem to be aware of a county requirement for agricultural notices.

Timing is also an issue in the adequacy of agricultural disclosures in real estate sales. Disclosures are usually provided at the completion of a transaction, when escrow is closed. Many of our respondents said this was too late in the transaction for new information to have much impact, since it comes some time after the basic decision to buy has been made. The impact of the information is further diluted by the numerous other documents purchasers must read and sign at this stage, making it difficult to highlight the importance of the agricultural disclosure. Noted an agricultural commissioner:

“People when they are buying real estate are really stressed, and they don’t pay much attention to the disclosure. They have lots of forms to look at.”

As a result, other respondents said, some homeowners who later come before county bodies to complain about nearby agricultural nuisances have to be reminded about the agricultural disclosure forms they signed.

Conclusions

What makes for an effective county right-to-farm ordinance? Judging from the comments of the persons we interviewed in 15 counties, the key lies in specific disclosure requirements and how they are implemented. Formal grievance procedures are far less essential, considering their limited use in the counties that have them and the greater importance of informal methods for resolving farmer-resident conflicts.

An effective ordinance is one that fully informs both directly affected parties and the community at large about the importance of maintaining productive agriculture in the face of urban growth. For homeowners and other residents in edge areas, those considering purchase and those already living there, this means acquiring a full appreciation of the consequences of residing next to commercial farm operations that from time to time generate noise, dust, odor, and other negative effects. Prospective home buyers then can consider the pertinent tradeoffs, weighing the negative impacts against the scenic, cost, and other benefits of living in the rural community.

Right-to-farm ordinances are a limited answer to the problems of conflict and incompatible land uses at the agricultural-urban edge. The solution also depends on other and more active measures, especially the planning and design of urban development that is sensitive to agricultural operations and appropriate modifications in farm practices at the edge. But as an informational technique, the ordinances are an important part of the overall strategy for achieving a more peaceful coexistence of agricultural and urban neighbors. ■

Table 1. Disclosure Requirements in Right-to-farm Ordinances

County	Property Tax Bill	Development Approval	Real Estate Transaction
San Benito	Mailed annually to all real property owners in unincorporated county.	Not required.	Required for all real property transfers. Disclosure must be signed by buyer and seller and recorded with the County Recorder's office. All leases must also incorporate the disclosure statement.
Solano	Not required.	Not required.	Disclosure statement included with any property deed and recorded with County Recorder. Buyer/seller are not required to physically sign disclosure statement.
Monterey	Not required.	Not required.	Not required.
Merced	Not required.	Notice required on all final parcel maps for all parcels within 1000 feet of an ag zone and dwelling unit over 500 square feet. Acknowledgment required for building permit.	Not required.
Tulare	Not required.	Notice must be recorded for all parcel/subdivision maps; notice provided to all applicants for building permits; County Recorder includes notice with any deed or land sale contract.	Signed disclosure between buyer and seller.
Stanislaus	Mailed annually to all real property owners in unincorporated county.	Notice must be recorded for all parcel/subdivision maps; notice provided to all applicants for building permits; County Recorder includes notice with any deed or land sale contract.	Signed disclosure between buyer and seller.
San Joaquin	Not required.	County provides building permit applicants with copy of disclosure statement. Not a condition of development approval. Builder's responsibility to deliver copy to owner of building.	Not required.
Butte	Not required.	Acknowledgment must be signed and recorded as a condition of obtaining a building permit.	Not required.
Sutter	Not required.	Acknowledgment must be signed and recorded as a condition of obtaining a building permit.	Disclosure required between buyer and seller. No form to sign.
Colusa	Not required.	Disclosure required on all building permits and other development approval documents.	Disclosure must be signed by buyer and seller and recorded with the County Recorder's office.
Mendocino	Not required.	Acknowledgment must be signed and recorded as a condition of obtaining a building permit.	Disclosure required between buyer and seller. No form to sign.
Yolo	One-time mailing.	County-prepared notice included with preliminary title reports.	Not required.
Napa	Mailed annually to all real property owners in unincorporated county.	Signed form filed with Planning Department for all subdivision approvals and development permits.	Disclosure required between buyer and seller. No form to sign.
Sonoma	Mailed annually to all real property owners in unincorporated county.	Disclosure required for all development approvals and recorded with County Recorder.	Signed disclosure between buyer and seller.
Fresno	Not required.	Notice must be filed with County Recorder for subdivision map approvals.	Not required.

Disclosure Notice–Farm Bureau Model Ordinance, Section 4 (b)

The County of ____ permits operation of properly conducted agricultural operations within the County. If the property you are purchasing is located near agricultural lands or operations or included within an area zoned for agricultural purposes, you may be subject to inconveniences or discomfort arising from such operations. Such discomfort or inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. One or more of the inconveniences described may occur as a result of any agricultural operation which is in conformance with existing laws and regulations and accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector.

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[\(inside-commission.aspx\)](#)

[\(leadership.aspx\)](#)

[\(org-chart.aspx\)](#)

[\(divisions-landing.aspx\)](#)

[\(hqdirectory-landing.aspx\)](#)

NEW GAS TAX TRUST FUND



County Offices



Auditor



Communications



Employment

See how the money is being used to fund \$3 Billion in road and bridge work across the state.

[\(countyOffices.aspx\)](#)

[\(auditor-services.aspx\)](#)

[\(inside/inside-communications-landing.aspx\)](#)

[\(employment-home.aspx\)](#)



In 2017, The General Assembly passed legislation to increase the State gas tax by 12 cents by phasing in the increase at 2 cents per year for six years. These funds are deposited into a new trust fund called the Infrastructure Maintenance Trust Fund (IMTF). These new revenues, coupled with other Federal and State funds, form the Financial foundation of SCDOT's ten year plan ([/projects/ten-year-plan.aspx](#)) and performance targets ([/tamp.aspx](#)).

Secretary of Transportation Christy Hall presented an update on SCDOT to the SC State Senate Transportation Committee and the SCDOT Commission in February 2023.

See What Projects are Being Funded

[State of SC's Transportation Network 2023 \(/pdfs/State of SC Road and Bridge Network 2023.pdf\)](#)

[New 2022-2023 Paving Projects \(pavement-improvement.aspx\)](#)

[Gas Tax Project List \(/inside/pdf/trustfund/archive/ProjectList/N\)](#)

Other Trust Fund Documents

Contractor and Vendor Payments

[\(/inside/pdf/trustfund/archive/Contractor and Vendor Payments for June 2023.pdf\)](#)

[\(/inside/pdf/trustfund/archive/Contractor and Vendor Payments for June 2023.pdf\) Monthly Statement – June 2023](#)

[\(/inside/pdf/trustfund/archive/FY2023 IMTF Statement June 30, 2023.pdf\)](#)

[Monthly Statement Archive \(new-gastax-statement-archive.aspx\)](#)

South Carolina Department of Transportation

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New Gas Tax Trust Fund

Project List Report as of June 30, 2023 (Preliminary)

Road Committed Values are Grouped by Project

Road Number	Road Number	Road Name	Mileage	# of Bridges	Preliminary Engineering	Advanced to Construction	% of Construction Completed
Oconee			197.225		\$18,009,573	\$37,302,652	75%
Pavements			123.430		\$16,663,709	\$36,995,708	83%
			1.030		\$0	\$556,517	100%
	S- 155	E South 2Nd St	0.580				
	S- 610	Daniel Ave	0.450				
			8.440		\$0	\$496,155	100%
	SC 182	Oakway Rd	3.730				
	SC 59	Tokeena Rd	4.571				
	SC 59	S Oak St	0.139				
			1.710		\$0	\$1,339,609	100%
	US 76	Byp 123	1.710				
			3.470		\$0	\$1,903,700	100%
	US 123	Toccoa Hwy	3.470				
			0.950		\$0	\$1,219,638	100%
	S- 63	W South 4Th St	0.950				
			4.660		\$0	\$266,025	100%
	S- 65	J P Stevens Rd	0.080				
	S- 65	Martin Creek Rd	3.040				
	S- 21	Friendship Rd	1.540				
			1.460		\$0	\$359,741	100%
	US 76	Clemson Blvd	1.460				
			1.110		\$0	\$920,150	100%
	S- 488	Wells Hwy	1.110				
			3.330		\$0	\$390,860	100%
	S- 66	W Pine Grove Rd	1.620				
	S- 85	Greer Rd	0.400				
	S- 85	S South Union Rd	1.230				
	S- 85 CON	Boat Ramp Rd	0.080				
			2.030		\$0	\$1,694,420	100%
	SC 11	Sc 11	2.030				
			6.760		\$0	\$4,836,874	100%
	US 76	E Main St	1.670				
	US 76	Toccoa Hwy	0.060				
	US 76	W Windsor St	0.440				
	US 76	E Windsor St	0.280				
	US 76	Sandifer Blvd	4.310				
			9.200		\$0	\$358,389	100%
	SC 130	E Main St	0.820				
	SC 130	W Main St	1.090				
	SC 130	Stamp Creek Rd	7.290				
			3.790		\$0	\$266,535	100%
	S- 181	Pickett Post Rd	3.790				
			2.020		\$0	\$346,168	100%
	US 76	Clemson Blvd	2.020				
			4.350		\$0	\$94,970	100%
	S- 39	Sam Brown Rd	1.980				
	S- 39	Return Church Rd	2.370				
			8.570		\$0	\$246,610	100%
	SC 28	Highlands Hwy	8.570				
			1.530		\$0	\$1,191,281	100%
	S- 488	Wells Hwy	1.530				

Project List to be updated on a monthly basis as additional Projects are committed.

New Gas Tax Trust Fund

Project List Report as of June 30, 2023 (Preliminary)

Road Committed Values are Grouped by Project

Road Number	Road Number	Road Name	Mileage	# of Bridges	Preliminary Engineering	Advanced to Construction	% of Construction Completed
			2.230		\$0	\$262,739	100%
	S- 66	W Pine Grove Rd	2.230				
			4.020		\$0	\$3,172,672	100%
	SC 11	Sc 11	4.020				
			2.810		\$0	\$1,403,485	100%
	S- 6	Keowee River Rd	1.250				
	S- 63	W South 4Th St	0.730				
	S- 222	Mountain View Dr	0.830				
			2.860		\$0	\$130,898	100%
	S- 20	Dr Johns Rd	2.860				
			2.260		\$0	\$109,489	100%
	S- 413	Wigington Rd	2.260				
			6.330		\$0	\$254,929	100%
	SC 28	Highlands Hwy	6.330				
			2.260		\$0	\$1,228,037	100%
	S- 47	E South Broad St	0.640				
	S- 47	W South Broad St	1.150				
	S- 63	W South 4Th St	0.100				
	S- 63	E South 4Th St	0.370				
			4.560		\$0	\$3,405,399	100%
	SC 11	Sc 11	4.560				
			6.130		\$0	\$2,878,920	0%
	S- 24	Country Junction Rd	2.230				
	S- 24	Burnt Tanyard Rd	3.900				
			4.280		\$0	\$1,925,434	0%
	S- 51	Dave Mix Rd	0.750				
	S- 88	Welcome Church Rd	3.530				
			1.840		\$0	\$278,232	0%
	S- 88	Welcome Church Rd	1.840				
			6.400		\$0	\$5,465,835	0%
	SC 11	Sc 11	6.400				
			3.820		\$8,919,818	\$0	0%
	SC 11	Sc 11	3.820				
			3.540		\$4,211,944	\$0	0%
	S- 63	Return Church Rd	3.540				
			4.290		\$2,675,005	\$0	0%
	S- 129	Oconee Creek Rd	3.857				
	S- 129	Flat Shoals Rd	0.433				
			1.390		\$856,942	\$0	
	S- 24	Burnt Tanyard Rd	1.390		\$856,942	\$0	
	Rural Road Safety		73.795		\$1,345,864	\$306,944	37%
			14.200		\$730,331	\$0	0%
	SC 24	West Oak Hwy	14.200				
			6.760		\$0	\$306,944	100%
	US 76	E Main St	1.670				
	US 76	Toccoa Hwy	0.060				
	US 76	W Windsor St	0.440				
	US 76	E Windsor St	0.280				
	US 76	Sandifer Blvd	4.310				
			14.200		\$149,144	\$0	0%

Project List to be updated on a monthly basis as additional Projects are committed.

New Gas Tax Trust Fund

Project List Report as of June 30, 2023 (Preliminary)

Road Committed Values are Grouped by Project

Road Number	Road Number	Road Name	Mileage	# of Bridges	Preliminary Engineering	Advanced to Construction	% of Construction Completed
	SC 24	West Oak Hwy	14.200				
			1.200		\$90,023	\$0	0%
	SC 183	E Pickens Hwy	1.200				
			17.435		\$216,709	\$0	0%
	US 76	Long Creek Hwy	17.435				
			20.000		\$159,658	\$0	0%
	US 76	E Main St	1.120				
	US 76	Toccoa Hwy	0.070				
	US 76	W Windsor St	0.440				
	US 76	E Windsor St	0.280				
	US 76	Long Creek Hwy	18.090				



Public Comment



Current Projects

[\(/projects/press-releases.aspx\)](/projects/press-releases.aspx)

[\(/projects/current-projects.aspx\)](/projects/current-projects.aspx)

PROJECTS UNDER DEVELOPMENT





Regional Projects in Your Area

<https://scdot.maps.arcgis.com/apps/MapSeries/index.html?appid=ca1c4d90f688045f4bb465e16765d761c>

Project Viewer

Click on a region to view projects in your area.

In an effort to promote and improve public outreach for upcoming projects, SCDOT has developed a  active projects in four primary regions of the state. Click on a region to view information about upcoming  Ten Year Plan meetings, project schedules, opportunities for public comment, and much more. [\(/projects/ten-year-plan.aspx\)](/projects/ten-year-plan.aspx)



Educational Tools

Public involvement is an integral part of the transportation development process. Input received from the public during the preliminary engineering phase of project development influences the ultimate outcome of any project. SCDOT's mission is to find solutions that provide adequate, safe, and efficient transportation services for the public that minimize impacts to the human and natural environment. To learn more about the transportation decision making process and other considerations that are made during project development, please take an opportunity to watch the educational videos provided below.

Videos

[NEPA and the Transportation Decision Making Process \(\)](#)

[Highway Traffic Noise \(\)](#)

[Hydrology Considerations on SCDOT Projects \(\)](#)

Upstate Projects

[Back to Map](#)

Search:

Showing 1 to 8 of 8 entries (filtered from 326 total entries)

County	Region
--------	--------

SC 24 (West Oak Hwy) at SC 182 (Oakway Rd) and S-116 (Oak Creek Rd) Intersection Improvements in Oconee County (https://scdotgis.online/oakway-RAB)	Oconee
SC 24 Rural Roads Safety Project in Oconee County, SC (https://scdotgis.online/SC24RRSP)	Oconee
SC 59, SC 243, and SC 182 Intersection Improvements in the Town of Fair Play, Oconee County (https://scdotgis.online/SC59atSC182)	Oconee
S-129 Bridge Replacement Over Oconee Creek (https://scdot-environmental-project-site-scdot.hub.arcgis.com/pages/s129over-oconee)	Oconee
S-258 (Chattooga Ridge Road) over Village Creek Bridge replacement Project in Oconee County (https://scdot-environmental-project-site-scdot.hub.arcgis.com/pages/s-258-br-oconee)	Oconee
S-258 (Chattooga Ridge Road) over Village Creek in Oconee County (https://scdotgis.online/s258overVillageCreek)	Oconee
S-37 (JP Stevens) at W. Cherry Road Intersection Improvement Project in Oconee County (https://scdotgis.online/JPStevensatWCherryRD)	Oconee
S-99 (Rodgers Rd) Bridge Replacement Over Mud Creek (https://scdot-environmental-project-site-scdot.hub.arcgis.com/pages/s99-br-over-mud-creek)	Oconee



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Updated on 8/24/2023

A couple questions

Lance Estep <lance@scacog.org>

Tue, Feb 28 at 1:51 PM

To: Teresa Spicer <pcommission.tes@gmail.com>

Hi Teresa. Great to meet you. I'm happy to help. Let me try to answer your questions.

Table 7-1 is in our adopted Rural Long Range Transportation Plan (which we update every 5 years). This is the master intersection list for the entire region, and it shows 20+ years' worth of projects. Each project has a Project ID and a Rank. The Shiloh Road project is ranked #58 in the region, Project ID #55, and a TIP year of 2040. The Project ID# is just a random ID number assigned to each project. The TIP year is the year that the project will be programmed for funding.

The LRTP document itself describes the project prioritization process on page 42. For intersections, we obtained 5 years of crash data from SCDOT (I believe at the time of the analysis we had 2015-2019 data available. Crash data availability lags by a year or two usually). We used a GIS mapping program (ArcGIS Pro Spatial Analyst) to spatially analyze crash points within 250 feet of an intersection....this allows us to focus on intersections and helps to clear out the noise in the data. We now have crashes listed by intersection. From there, we identify intersections where fatal and serious injury crashes make up more than 25% of all crashes, then further reduce the list by selecting the top 100 of those with the highest severity index (Total Fatal Crashes X 2 + Total Severe Injury Crashes). We take this pared down list of crashes and share it with SCDOT district engineers for them to check and make sure that we aren't identifying projects that they are already working on/planning to work on. We sort the final list based on crash rate (Total crashes per million vehicles entering the intersection).

Sorry, I tried to make that as simple as possible. This is SCDOT's intersection ranking methodology, so it's tough explain. In short, that is how projects are ranked.

I am assuming that the other table you are looking at is our Transportation Improvement Program (TIP). The TIP is, in essence, our 7-year program budget. Each year, we

target large-scale regional projects in the multiple millions of dollars.

28

Those are some thoughts. Please feel free to ask questions anytime. Happy to help!

[Quoted text hidden]

A couple questions

Lance Estep <lance@scacog.org>

Tue, Feb 28 at 4:06 PM

To: Teresa Spicer <pcommission.tes@gmail.com>

For this particular funding program, we are required to rank them and fund them in order of their ranking. So, unfortunately there is not a way to get a project moved up. Here are a couple of things to consider, though:

1. We update our LRTP every 5 years, so in 2027 we will be going through this process again. It is entirely possible that the project moves up in ranking at that time...and it's possible that a new ranking methodology is used. We get approximately \$9 million per year to program across the 6-county region. That's not much money considering 1 intersection project can range between \$1 million and \$10 million. Plus, the way state law requires us to prioritize projects tends to favor areas that are already congested or that have existing issues with fatal and serious injury crashes. It makes it difficult to fund projects proactively before the problems get there ahead of growth.
2. This is but one funding stream for transportation in the region. There are others that can be more responsive/quicker to implement. The Oconee County Transportation Committee (CTC) oversees funding to address roads in the county. They get approximately \$2.5 million annually to spend on repairs, maintenance, and improvements to the State Highway System (<https://www.scdot.org/projects/c-program.aspx>). SCDOT has a Rural Road Safety Program that annually analyzes intersections and corridors statewide and funds and ranks projects for construction (<https://scdot.maps.arcgis.com/apps/MapSeries/index.html?appid=d1607e9b00ce4077a07051eb91b05400>). County public works departments can also fund improvements if needed. The Appalachian Regional Commission (ARC) is a federal agency that sets aside funding for local areas that need economic development. This is a good program that can move fairly quickly, but it must be tied to an economic development project that will create jobs. We have had success with that program in Oconee County recently (The Industry and Technology Park on Highway 11).
3. There are also a plethora of grant opportunities out there, but most grant programs

assign/program funding to each project from that master list of intersections that we started with in the LRTP (Table 7-1). We go down the list and fund the projects in order of their ranking. Our current TIP programs projects out to 2029. The Shiloh Road project will be programmed in 2040, so that's why it is not showing up on the TIP yet.

Hopefully that helps clear things up. I know it's a bit cumbersome of a process, but if you have additional questions, I'm happy to answer them.

Thank you,

Lance



From: Teresa Spicer <pcommission.tes@gmail.com>

Sent: Tuesday, February 28, 2023 12:52 PM

To: Lance Estep <lance@scacog.org>

Subject: A couple questions

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[Quoted text hidden]

C-Funds

Teresa Spicer <pcommission.tes@gmail.com>

Tue, Mar 28 at 8:48 AM

To: Lance Estep <lance@scacog.org>

Hi Lance,

I hope you had a nice break. I am still looking for some info about disbursements towards Oconee County roads. I spoke with Sam Dickson and he said although Oconee may be eligible for \$1,000,000+ they are given "a little bit at a time" that's why they only get \$600,000 rather than a full payout.

Can we talk about this?

Thanks.

[Quoted text hidden]

C-Funds

Lance Estep <lance@scacog.org>

Tue, Mar 28 at 9:17 AM

To: Teresa Spicer <pcommission.tes@gmail.com>

Hi Teresa. Sorry for the delayed response. I was on vacation last week and I'm still playing catch-up.

I'm afraid that I am not a C-fund expert so I can't provide much assistance on that side of things. The C-fund website has annual reports that you can view that show annual allocations and project expenditures: <https://www.scdot.org/projects/c-program.aspx>. Looks like the FY 21-22 apportionment was a little over \$2 million. Funds are not "use them or lose them," so the County CTCs can bank funds. According to the latest annual report (FY 21-22), Oconee CTC's balance is \$6.1 million, with \$4.4 million committed to projects. Net balance is \$1.7 million.

You can look at SCDOT's project viewer here: <https://scdot.maps.arcgis.com/apps/MapSeries/index.html?appid=ca1cd69fc88945f4bb465e16765d761c>. If you zoom in, it shows all road projects from all funding streams. You can click on each project and view attributes for each one. I don't believe CTC projects will be depicted in the Project Name field (i.e. Oconee CTC – state or something like that). You can also see the specific CTC projects in the annual report I referenced in the prior paragraph.

Sen. Thomas Alexander is on our transportation committee and has been for several years now. I do not have contact with the county CTC's.

Hope this helps.

4005

8/22

Table 7-1. Fiscally Constrained Safety Intersection Project List - 2045 Long Range

Rk	Proj No	County	Roadway1	Roadway2	TIP_YR
1	19	Spartanburg	SC 49	SC 56	2023
2	53	Greenville	SC 414	Blackwell Rd	2023
3	25	Spartanburg	SC 11	Peachtree Rd	2023
4	32	Cherokee	SC 150	Grassy Pond Rd	2023
5	137	Pickens	SC 11	S Saluda Rd	2024
6	38	Cherokee	US 29	W Floyd Baker Blvd	2024
7	200	Pickens	SC 11	Little Eaststone Road	2025
8	183	Cherokee	SC 18	Concord Rd	2025
9	42	Cherokee	SC 105	E Oneal St	2026
10	51	Anderson	SC 252	Wright School Rd	2026
11	84	Oconee	SC 11	Mountain Rd / Critter Rd	2027
12	8	Oconee	SC 59	Wells Hwy	2027
13	173	Cherokee	SC 18	Carinth Rd	2027
14	96	Oconee	SC 28	Bountyland Rd	2028
15	153	Cherokee	Oneal St	Thompson St	2028
16	74	Cherokee	SC 18	E 3rd St	2028
17	165	Cherokee	SC 11	US 29	2028
18	121	Oconee	SC 247	Conerross Creek Rd	2029
19	46	Cherokee	SC 105	Overbrook Dr	2029
20	93	Oconee	SC 130	Keowee Lakeshore Dr	2030
21	43	Cherokee	US 29	SC 105	2030
22	35	Cherokee	US 29	E 3rd St	2031
23	37	Cherokee	US 29	SC 18	2031
24	197	Pickens	SC 11	West Gate Road	2031
25	202	Pickens	SC 11	SC 8	2032
26	199	Pickens	SC 11	Bearcat Trail	2032
27	79	Oconee	SC 11	Fowler Rd	2032
28	68	Cherokee	SC 150	SC 105	2032
29	44	Cherokee	US 29	Rutledge Ave	2033
30	128	Anderson	SC 252	SC 413	2033
31	129	Greenville	US 25	US 76	2033
32	39	Cherokee	SC 150	W Floyd Baker Blvd	2034
33	59	Oconee	US 123	W Walnut St	2034
34	69	Cherokee	US 29	W Floyd Baker Blvd	2034
35	179	Cherokee	US 29	Moss Xing	2034
36	56	Oconee	US 123	SC 93	2035
37	36	Cherokee	US 29	SC 150	2035
38	193	Anderson	US 29	Griffin Rd	2035
39	177	Cherokee	US 29	SC 329	2035
40	80	Oconee	SC 183	SC 130	2036

Rk	Proj No	County	Roadway1	Roadway2	TIP_YR
41	72	Cherokee	SC 11	Ellis Ferry Ave	2036
42	7	Oconee	Wells Hwy	W South 4th St	2036
43	83	Oconee	SC 28	W Highway Branch Rd	2036
44	109	Oconee	US 123	Pine Cliff Dr	2037
45	95	Oconee	SC 28	Memorial Dr	2037
46	110	Oconee	US 123	Mountain View Dr	2037
47	65	Oconee	US 123	Wells Hwy / Sheep Farm Rd	2037
48	64	Oconee	US 123	Hospital Dr	2038
49	73	Cherokee	SC 11	Walton Dr	2038
50	70	Cherokee	SC 11	Overbrook Dr	2038
51	6	Oconee	US 123	Wells Hwy	2038
52	63	Oconee	US 123	SC 28	2039
53	107	Oconee	US 123	Keowee Trl	2039
54	71	Cherokee	SC 11	Geithys Dr	2039
55	49	Oconee	Bountyland Rd	Sheep Farm Rd	2039
56	52	Anderson	US 178	SC 29	2040
57	54	Anderson	US 178	SC 88	2040
58	55	Oconee	Wells Hwy	Shiloh Rd	2040
59	60	Oconee	US 123	SC 59	2040
60	61	Oconee	Keowee Business Pkwy	N Radio Station Rd	2041
61	62	Oconee	Applewood Center Pl	N Radio Station Rd	2041
62	108	Oconee	US 123	N Walnut St	2041
63	174	Cherokee	US 29	13th St	2041
64	176	Cherokee	US 29	6th St	2042
65	201	Pickens	SC 11	SC 133	2042
66	15	Anderson	SC 185	SC 284	2042
67	24	Spartanburg	SC 9	Rainbow Lake Rd	2042
68	29	Cherokee	SC 110	E Cudd Rd / Bonner Rd	2043
69	28	Cherokee	US 221	N Green River Rd	2043
70	16	Anderson	SC 413	Broadway Lake Rd	2043
71	86	Oconee	SC 11	SC 130	2043
72	101	Oconee	S Walnut St	E South 2nd St	2044
73	114	Oconee	SC 21	Friendship Rd	2044
74	120	Oconee	SC 11	Cow Creek Dr	2044
75	21	Spartanburg	SC 150	SC 215	2044
76	184	Anderson	SC 29 / Lebanon Rd	Eastview Dr	2045
77	12	Anderson	SC 81	Cherokee Rd	2045
78	30	Cherokee	Twin Bridge Rd	Grassy Pond Rd	2045
79	66	Oconee	S Walnut St	E South 6th St	2045

"A maximum of 79 Safety Intersection Projects (\$2mm/project) And a maximum of 18 miles of resurfacing (\$1.5/mi For a 2 lane road) are allowable. Projects outside these thresholds will be added to the "unfunded list!"

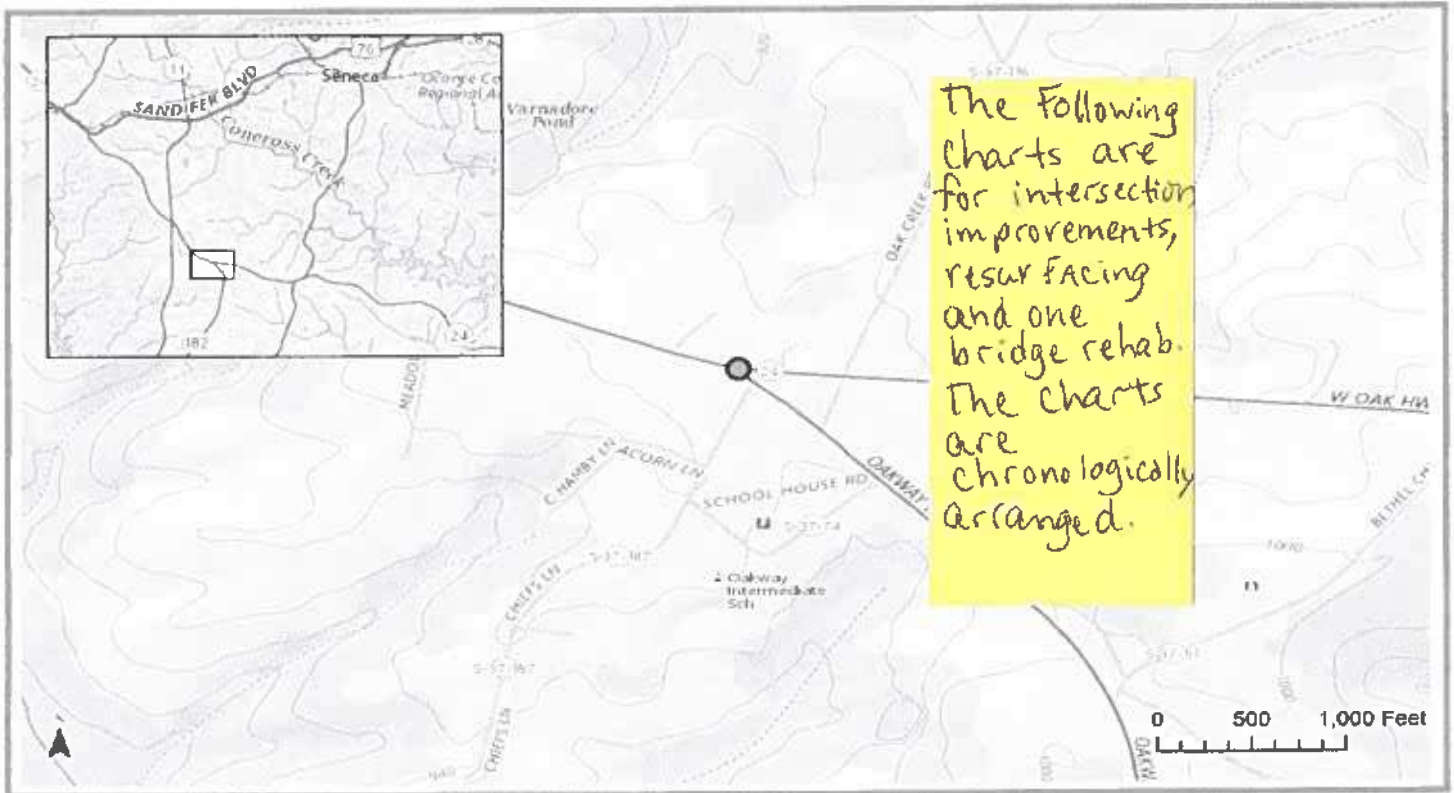
SCDOT PIN # P031964 **ACOG Rank** 2016-6 **Lead Agency** ACOG
City N/A **County** Oconee **Length** N/A
Horizon Year 2022 **Program** Guideshare **Total Cost** \$2,650,000
Project Name / Route Oakway Intersection Improvement / SC 24 at SC 182 / Oak Creek Rd
Termini / Intersection SC 24 (West Oak Hwy) at SC 182 (Oakway Rd) / S-116 (Oak Creek Rd)



Project Description Improve safety and functionality of the intersection. Current configuration has several conflict points and substandard sight distances. Consolidate approaches to SC 24 from the south; reconfigure the approaches to SC 182/S-116 to optimize safety.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
PY	PE	STBGP	\$500,000	\$400,000	\$100,000	
PY	ROW	STBGP	\$350,000	\$280,000	\$70,000	
2023	CON	STBGP	\$1,800,000	\$1,440,000	\$360,000	
Total of Previous Year TIP Cost			\$850,000	\$680,000	\$170,000	
Total 2023-2029 TIP Cost			\$1,800,000	\$1,440,000	\$360,000	

Project Notes



Total Future Construction Cost N/A

Obligation History

Project Phase	PL	PE	2018	ROW	2022	CON	2023

Revision History

Amendments **Administrative Modifications**

SCDOT PIN # **ACOG Rank** **Lead Agency**
City **County** **Length**
Horizon Year **Program** **Total Cost**



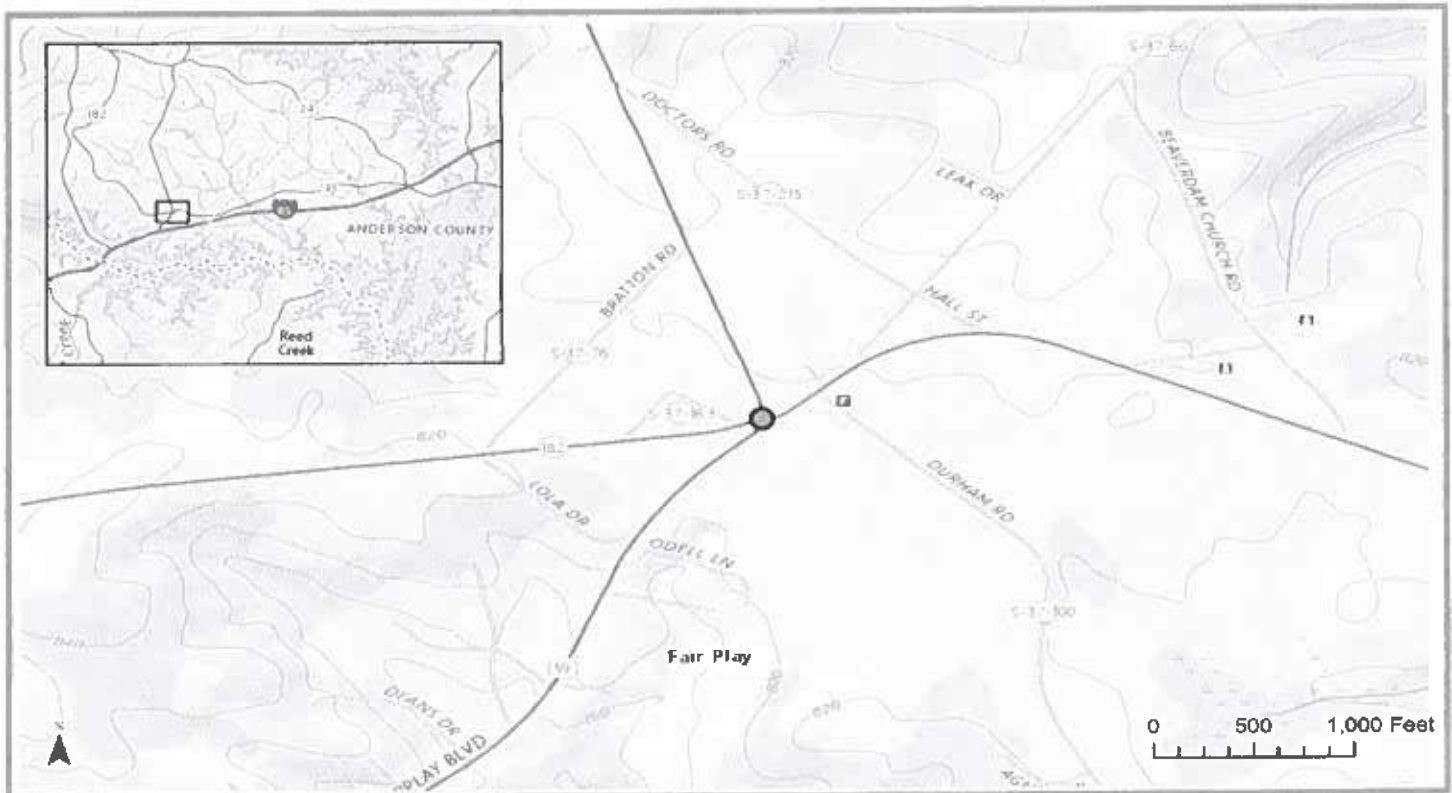
Project Name / Route
Termini / Intersection



Project Description Improve intersection geometry and safety. The intersection is confusing and unsafe, and operates as a 3-way intersection rather than a 4-way intersection. Reconfigure the geometry of the intersection and add signalization.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
PY	PE	STBGP	\$1,000,000	\$800,000	\$200,000	
PY	ROW	STBGP	\$1,000,000	\$800,000	\$200,000	
2023	CON	STBGP	\$2,500,000	\$2,000,000	\$500,000	
Total of Previous Year TIP Cost			\$2,000,000	\$1,600,000	\$400,000	
Total 2023-2029 TIP Cost			\$2,500,000	\$2,000,000	\$500,000	

Project Notes



Total Future Construction Cost N/A

Obligation History

Project Phase	PL	PE	2019	ROW	2022	CON	2023
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Revision History

Amendments

Administrative Modifications

SCDOT PIN # **ACOG Rank** **Lead Agency**
 City County Length
 Horizon Year Program Total Cost



Project Name / Route

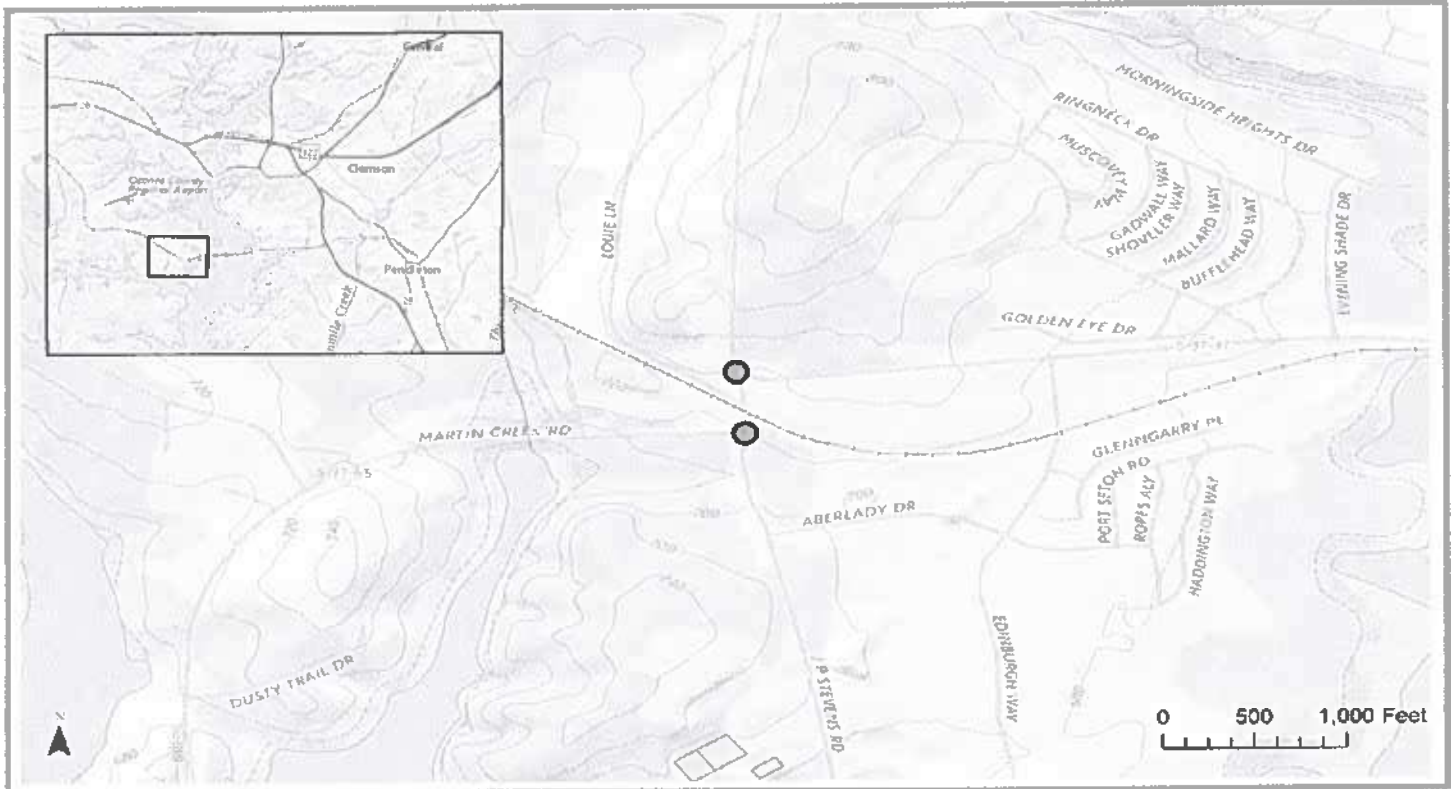
Termini / Intersection



Project Description Improve sight distance at intersection approaches and reconfigure geometry. Sight distance is an issue approaching J.P. Stevens Road from the east on West Cherry Road. In addition, the geometry at the intersection is confusing to approaching motorists. Sight distance is also an issue at the Martin Creek Road approach. Modifications will address these issues and improve safety.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
PY	PE	STBGP	\$500,000	\$400,000	\$100,000	
2023	ROW	STBGP	\$500,000	\$400,000	\$100,000	
2024	CON	STBGP	\$2,500,000	\$2,000,000	\$500,000	
Total of Previous Year TIP Cost			\$500,000	\$400,000	\$100,000	
Total 2023-2029 TIP Cost			\$3,000,000	\$2,400,000	\$600,000	

Project Notes



Total Future Construction Cost N/A

Obligation History

Project Phase	PL	PE	2019	ROW	2023	CON	2024
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Revision History

Amendments **Administrative Modifications**

SCDOT PIN # N/A

ACOG Rank 2022-1

Lead Agency ACOG

City Seneca

County Oconee

Length Approx. 0.75 Mi.

Horizon Year 2026

Program Guideshare

Total Cost \$1,550,000



Project Name / Route Resurfacing
US 123 (Sandifer Rd)

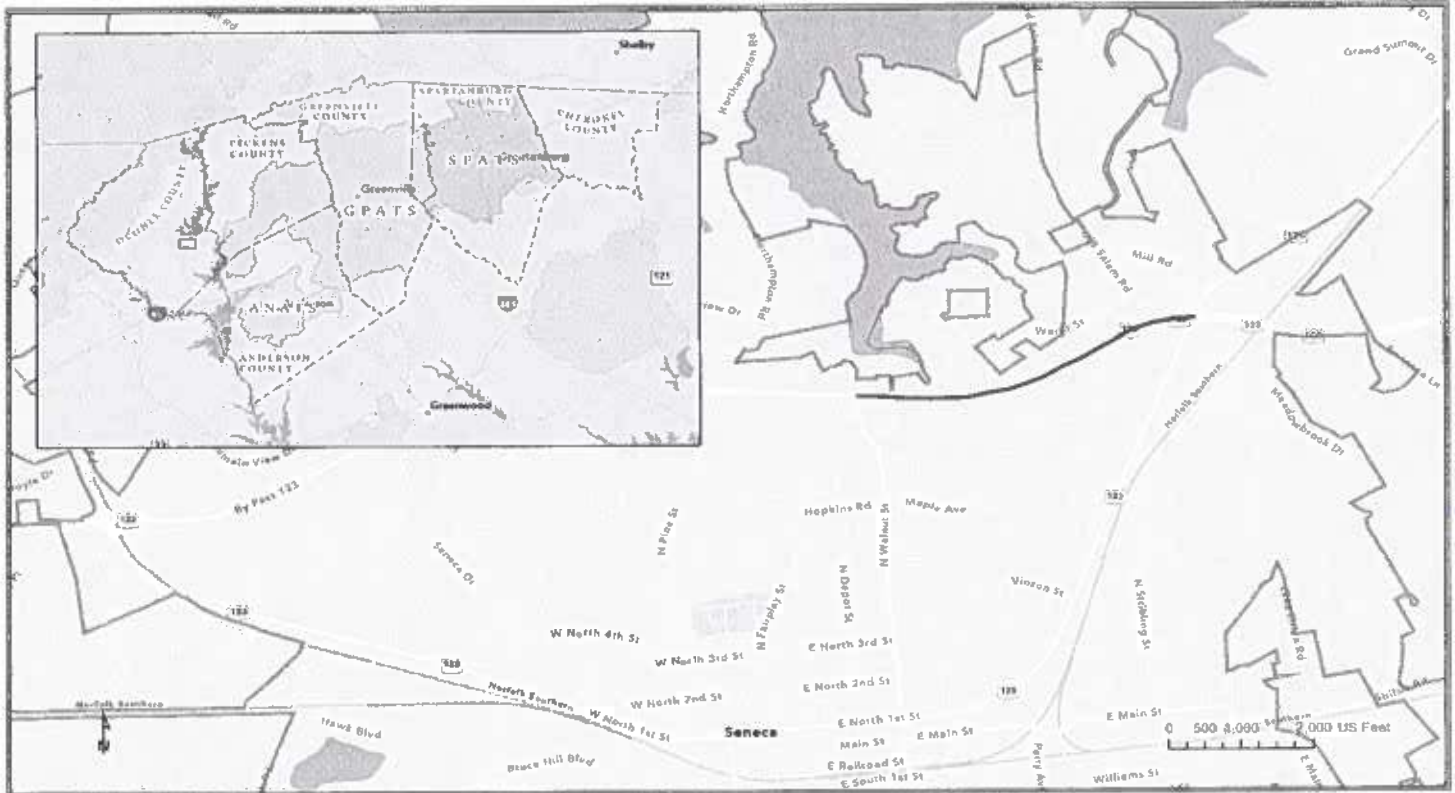
Federal Performance Measures

Termini / Intersection US 123 from N Walnut St to SC 130

Project Description Improve pavement quality along heavily traveled section of US 123 by resurfacing and adding/widening shoulders where possible. Examine intersection of US 123 and SC 130 for functional improvements. 2021 data show this stretch of US 123 has a PQI of 2.91, INI of 133.73, and rut depth of 0.17. The project ranked #2 for resurfacing per SCDOT ED 63.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
2024	PE	STBPG	\$500,000	\$400,000	\$100,000	
2025	ROW	STBPG	\$50,000	\$40,000	\$10,000	
2026	CON	STBPG	\$1,000,000	\$800,000	\$200,000	
Total of Previous Year TIP Cost						
Total 2023-2029 TIP Cost			\$1,550,000	\$1,240,000	\$310,000	

Project Notes



Total Future Construction Cost N/A

Obligation History

Project Phase	PL	PE	2024	ROW	2025	CON	2026

Revision History

Amendments

Administrative Modifications

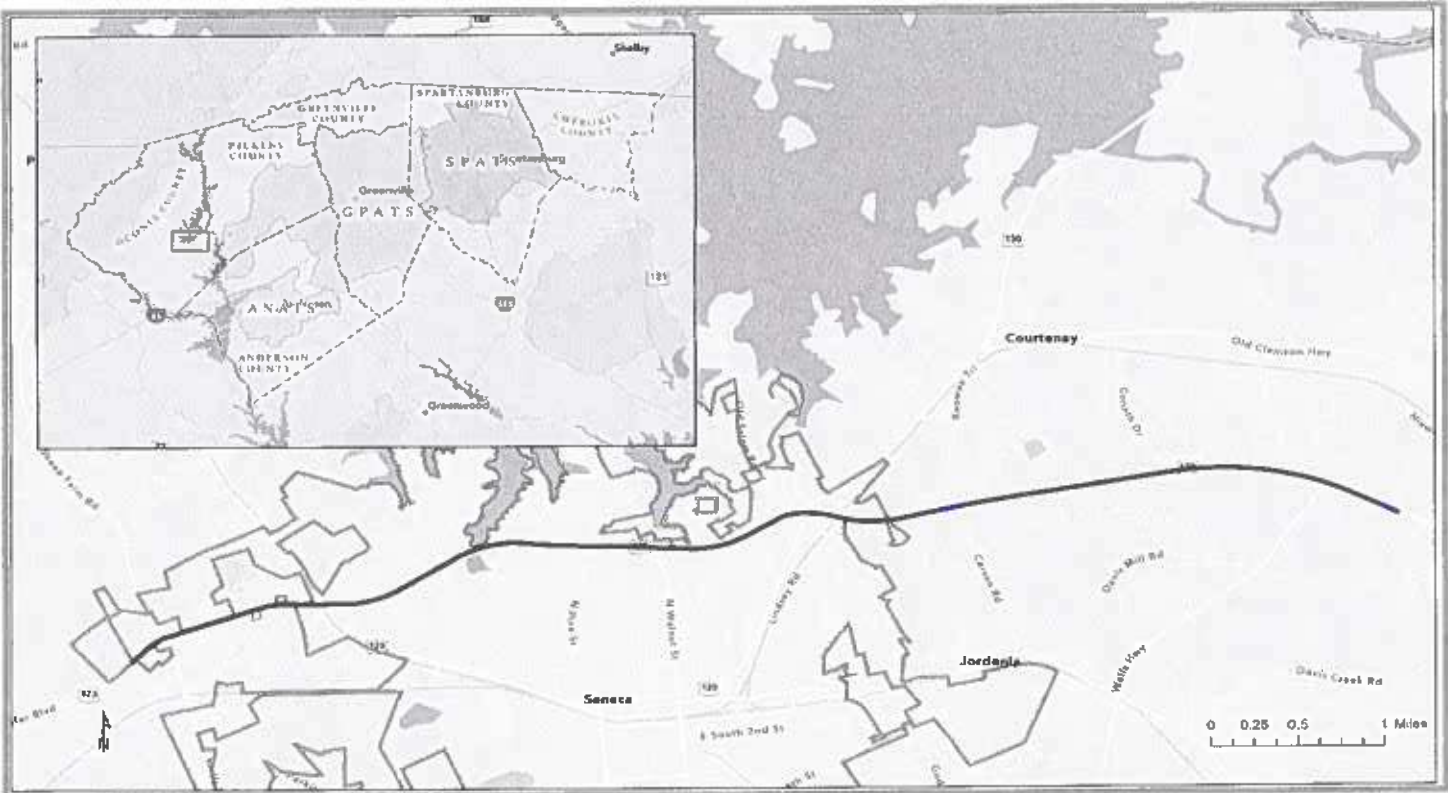
SCDO PIN # ACOG Rank Lead Agency
 City County Length
 Horizon Year Program Total Cost
 Project Name / Route
 Termini / Intersection



Project Description Conduct a corridor-level access management study for US 123, connecting Clemson and Seneca. This should address crash data on this portion of the freight network. Examine intersection improvements and access management improvements along this corridor.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
2027	PL	STBPG	\$150,000	\$120,000	\$30,000	
Total of Previous Year TIP Cost						
Total 2023-2029 TIP Cost			\$150,000	\$120,000	\$30,000	

Project Notes



Total Future Construction Cost N/A

Obigation History

Project Phase	PL	2027	PE	ROW	CON
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Revision History

Amendments

Administrative Modifications

SCDOT PIN # N/A

ACOG Rank 2022-7

Lead Agency ACOG

City N/A

County Oconee

Length N/A

Horizon Year 2027

Program Guideshare

Total Cost \$1,500,000



Project Name / Route Bridge Rehabilitation I-85 @ SC 11

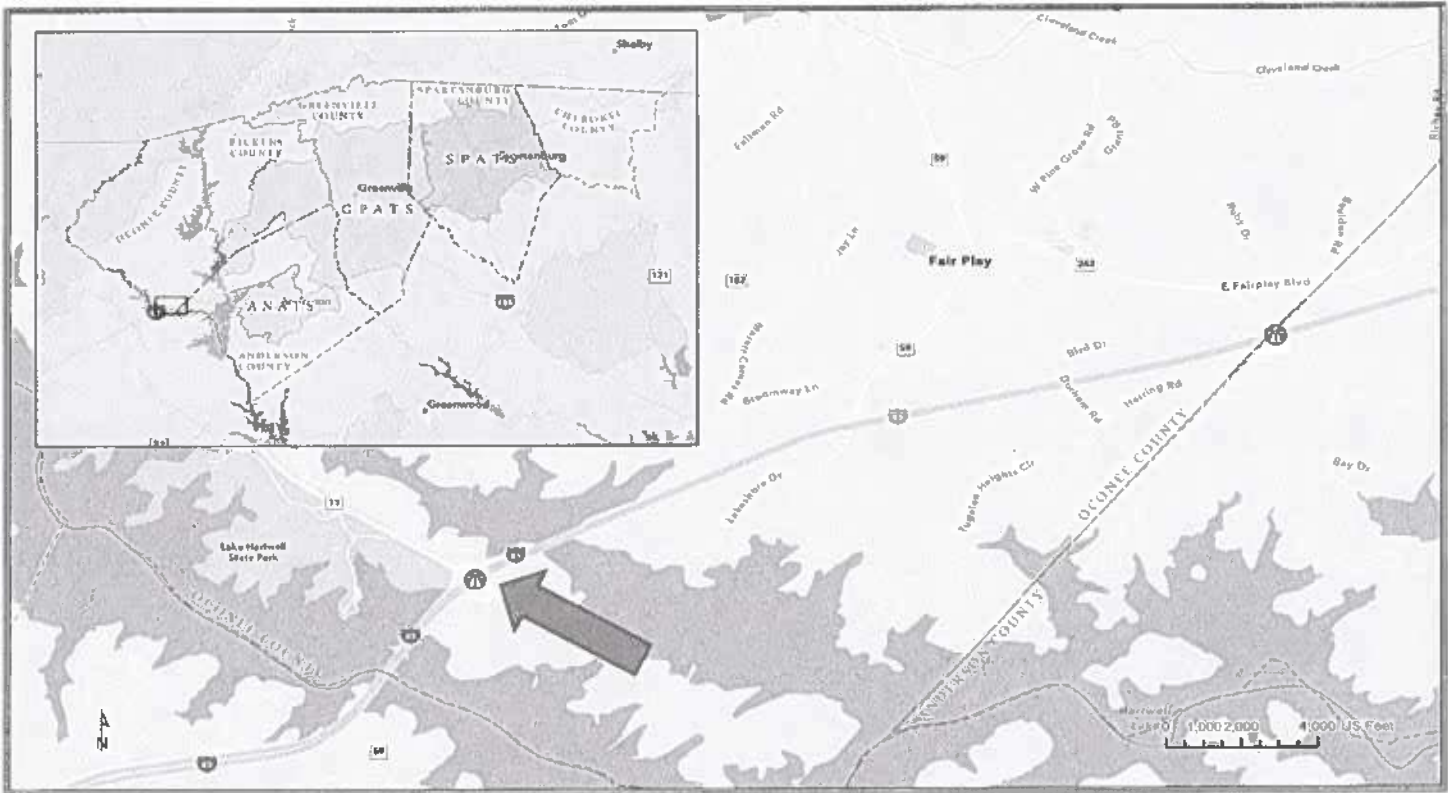


Termini / Intersection I-85 @ SC 11

Project Description Rehabilitate SC 11 bridge over I-85 (Exit 4). Bridges are on the freight network and rated in poor condition (per 2018 SCDOT data) but not currently included in the SCDOT programmed project list. 500 ac of undeveloped Industrial land adjacent to interchange and nearby Golden Corner Commerce Park (260 ac, 2M SF of Mfg, Wrh, Dist) justify improvements.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
2025	PE	STBPG	\$250,000	\$200,000	\$50,000	
2026	ROW	STBPG	\$50,000	\$40,000	\$10,000	
2027	CON	STBPG	\$1,200,000	\$960,000	\$240,000	
Total of Previous Year TIP Cost						
Total 2023-2029 TIP Cost			\$1,500,000	\$1,200,000	\$300,000	

Project Notes



Total Future Construction Cost N/A

Obligation History

Project Phase	PL	PE	2025	ROW	2026	CON	2027

Revision History

Amendments

Administrative Modifications

SCDOT PIN # ACOG Rank Lead Agency
 City County Length
 Horizon Year Program Total Cost



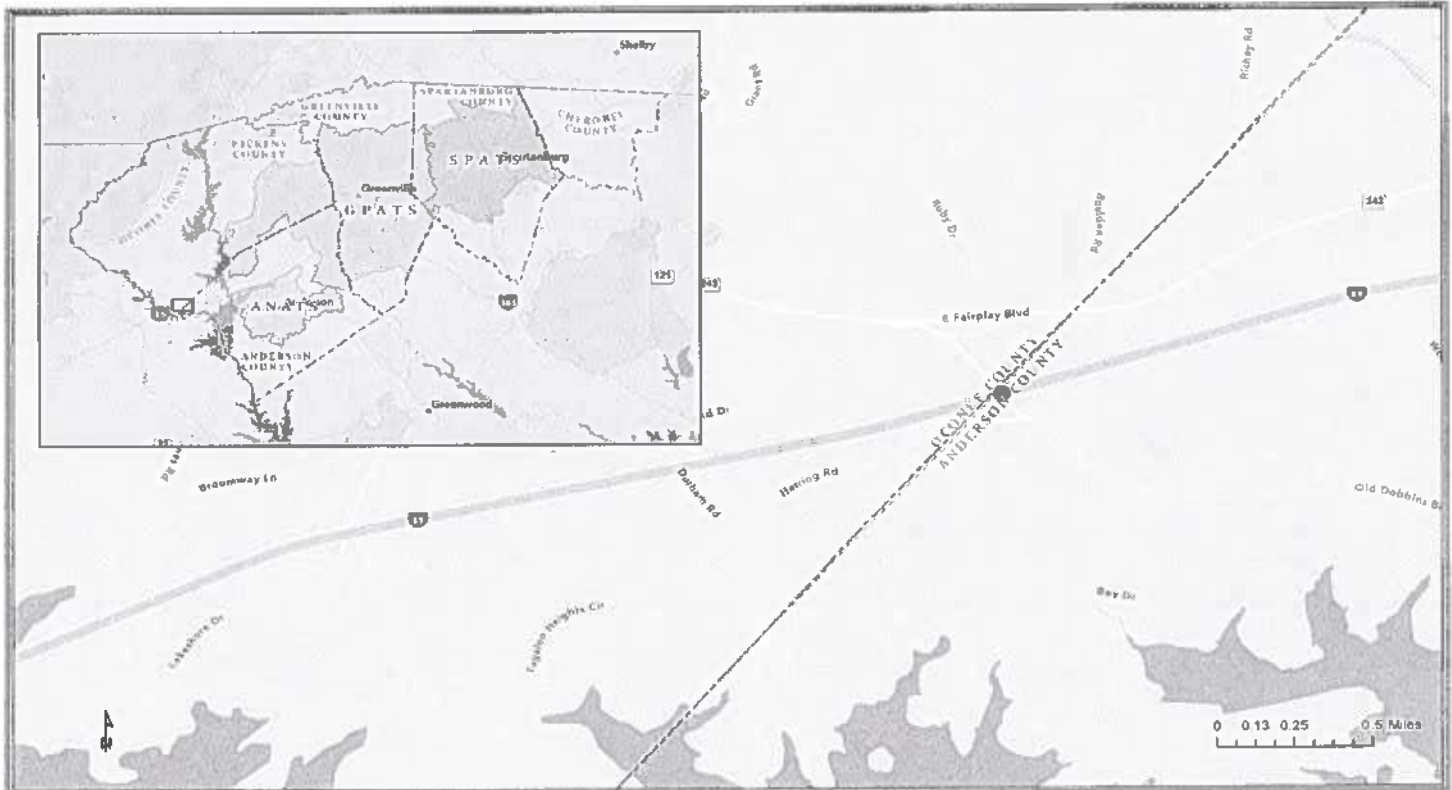
Project Name / Route
 Termini / Intersection



Project Description Reevaluate the interchange configuration at Whitfield Road. Potential for dual roundabouts with Whitfield Road and Old Dobbins Bridge Road to mitigate LOS issues. Rural enough in nature and poses safety improvements.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
2027	PL	STBPG	\$100,000	\$80,000		\$20,000
Total of Previous Year TIP Cost						
Total 2023-2029 TIP Cost			\$100,000	\$80,000		\$20,000

Project Notes



Total Future Construction Cost N/A

Obligation History

Project Phase	PL	2027	PE	ROW	CON
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Revision History

Amendments Administrative Modifications

SCDOT PIN # N/A

ACOG Rank 2022-2

Lead Agency ACOG

City N/A

County Oconee

Length Approx. 5 Mi.

Horizon Year 2028

Program Guideshare

Total Cost \$7,550,000



Project Name / Route Resurfacing US 123

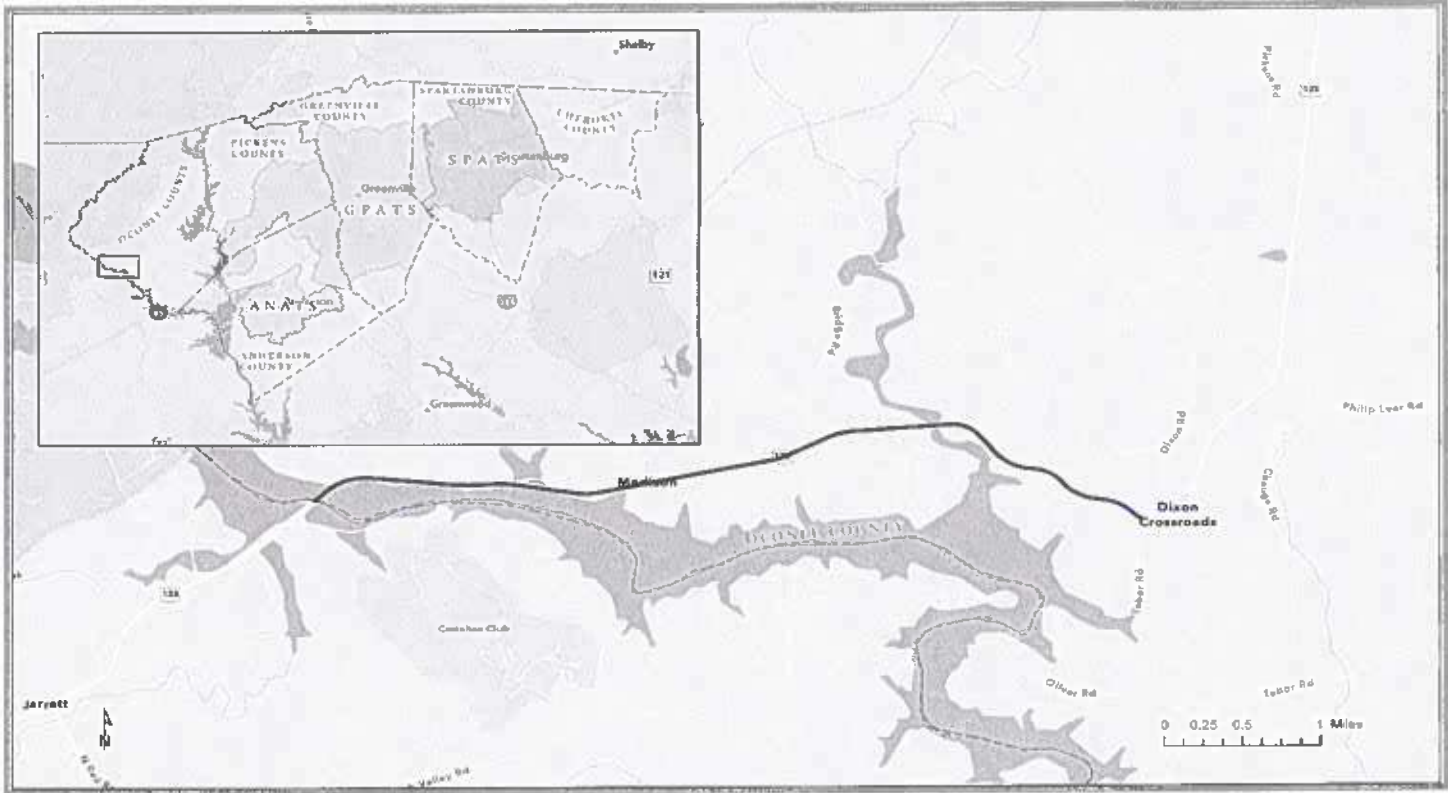
Federal Performance Measures

Termini / Intersection US 123 from GA Border to Dixon Rd

Project Description Improve pavement quality along heavily traveled section of US 123 by resurfacing and adding/widening shoulders where possible. 2021 data show this stretch of US 123 has a PQI of 1.90, INI of 124.49, and rut depth of 0.26. The project ranked #3 for resurfacing per SCDOT ED 63.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
2026	PE	STBPG	\$500,000	\$400,000	\$100,000	
2027	ROW	STBPG	\$50,000	\$40,000	\$10,000	
2028	CON	STBPG	\$7,000,000	\$5,600,000	\$1,400,000	
Total of Previous Year TIP Cost						
Total 2023-2029 TIP Cost			\$7,550,000	\$6,040,000	\$1,510,000	

Project Notes




Total Future Construction Cost N/A

Obligation History

Project Phase	PL	PE	2026	ROW	2027	CON	2028
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Revision History

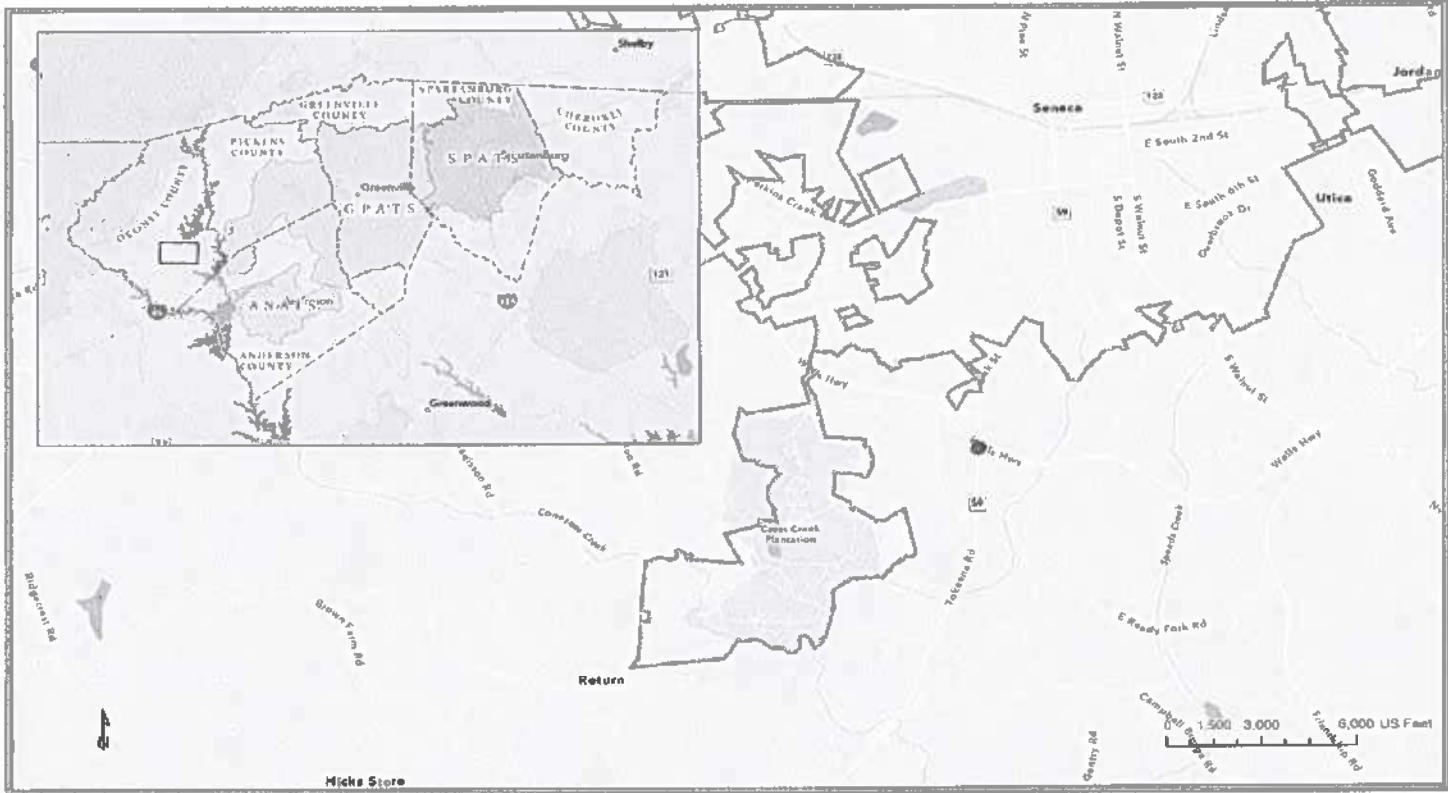
Amendments	Administrative Modifications
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SCDOT PIN # **ACOG Rank** **Lead Agency**
 City County Length
 Horizon Year Program Total Cost
 Project Name / Route
 Termini / Intersection **Federal Performance Measures** 

Project Description Evaluate the intersection for safety. Regional safety analysis of crash data from 2016-2020 showed a total of 26 crashes, 6 of which were SI (40%). The crash rate is 1.3. The project ranked #24 overall per SCDOT ED 71.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
2027	PE	STBPG	\$500,000	\$400,000	\$100,000	
2029	ROW	STBPG	\$100,000	\$80,000	\$20,000	
Total of Previous Year TIP Cost						
Total 2023-2029 TIP Cost			\$600,000	\$480,000	\$120,000	

Project Notes




Total Future Construction Cost **\$ 1,400,000**

Obligation History

Project Phase	PL	PE	2027	ROW	2029	CON	2030+

Revision History

Amendments **Administrative Modifications**

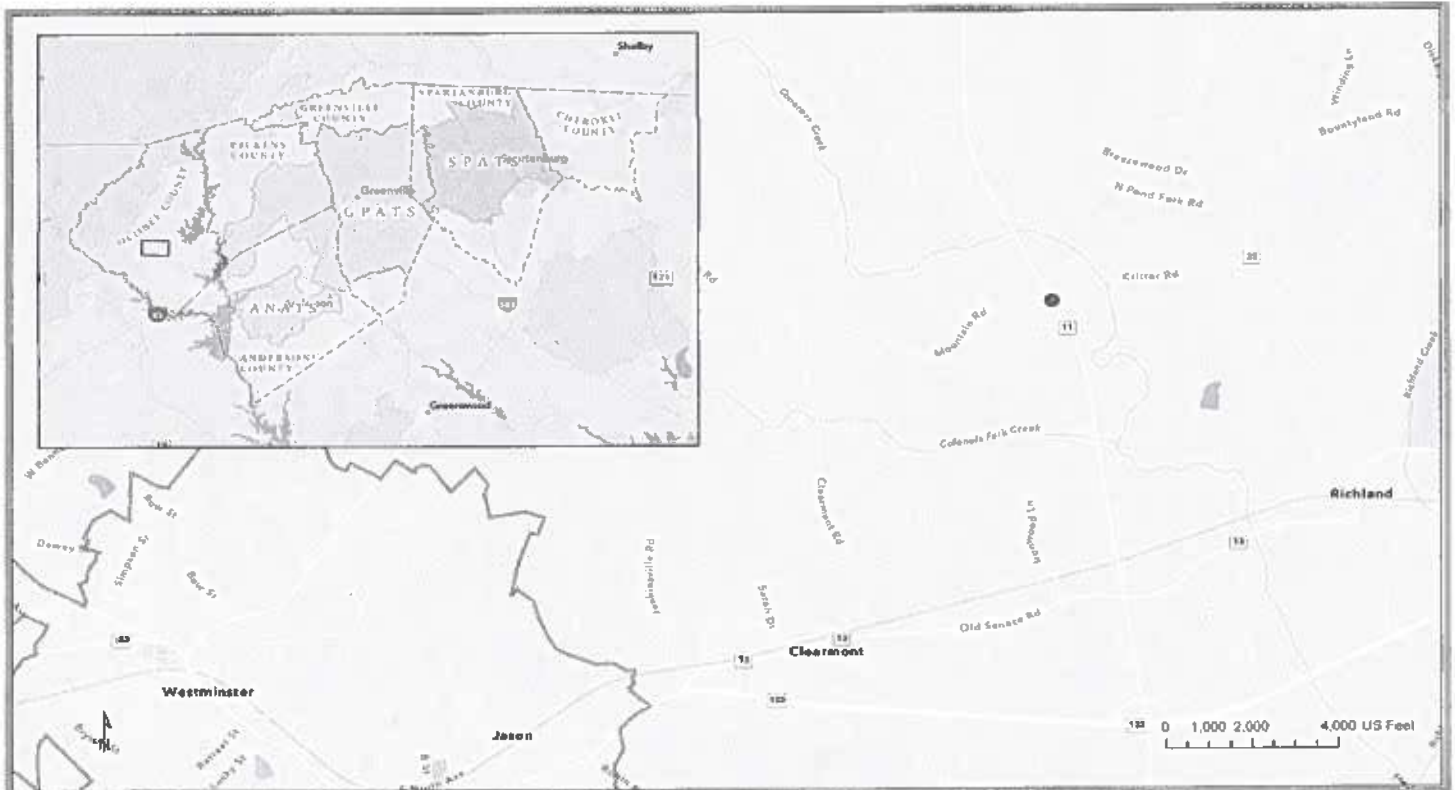
SCDOT PIN # **ACOG Rank** **Lead Agency**
 City County Length
 Horizon Year Program Total Cost
Project Name / Route
Termini / Intersection
Federal Performance Measures 



Project Description Evaluate the intersection for safety. Regional safety analysis of crash data from 2016-2020 showed a total of 20 crashes, 8 of which were SI (40%). The crash rate is 1.3. The project ranked #37 overall per SCDOT ED 71.

Fiscal Year	Phase of Work	Federal Program	Total Funds	Federal Funds	State Funds	Local Funds
2027	PE	STBPG	\$500,000	\$400,000	\$100,000	
2029	ROW	STBPG	\$100,000	\$80,000	\$20,000	
Total of Previous Year TIP Cost						
Total 2023-2029 TIP Cost			\$600,000	\$480,000	\$120,000	

Project Notes



Total Future Construction Cost **\$ 1,400,000**

Obligation History

Project Phase	PL	PE	2027	ROW	2029	CON	2030+
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Revision History

Amendments **Administrative Modifications**



2022-2023 Pavement Improvement Program

Oconee County

Major Roads/Primaries

Route Type	Route Number	Route Name	Beginning Mile Point	Ending Mile Point	Length (miles)	Treatment Type	Score	Rank
SC	11	Hwy 11	10.96	14.78	3.82	Reconst	985	2023-1
SC	11	Hwy 11	25.66	29.60	3.94	Reconst	915	2023-2

Farm to Market Secondaries

Route Type	Route Number	Route Name	Beginning Mile Point	Ending Mile Point	Length (miles)	Treatment Type	Score	Rank
S	24	Burnt Tanyard Rd	6.13	7.52	1.39	Reconst	825	2023-1
S	37	W Cherry Rd	0.00	0.83	0.83	Reconst	790	2023-2
S	37	W Cherry Rd	1.41	1.80	0.39	Reconst	790	2023-3
S	63	Return Church Rd	0.00	3.54	3.54	Reconst	760	2023-4

Sitten Shoals Rd!

Neighborhood Streets

Route Type	Route Number	Route Name	Beginning Mile Point	Ending Mile Point	Length (miles)	Treatment Type	Score	Rank
S	129	Oconee Creek Rd	0.00	4.29	4.29	Reconst	750	2023-1

with other types of improvements, as described in the other chapters about signalization and maintenance.

- **Lowering speed limits.** This low-cost measure can help reduce speeding, and therefore reduce the number of severe accidents on the road. However, enforcement is key in ensuring speed limits are obeyed.
- **Median barriers.** Most prominently, this can be seen in the SCDOT's interstate cable barriers initiative. In general, the purpose of this is to prevent head-on collisions resulting from vehicles crossing over a median.
- **Lane and road restrictions.** This is also primarily used on interstates. Truck lane restrictions can result in fewer fatal accidents involving heavy trucks. A similar concept is designating certain roads as truck routes, while limiting truck access to others.
- **Traffic law enforcement.** Since driver error is a substantial contributing factor to rural accidents, law enforcement can be an important partner in addressing safety concerns in certain target areas. Additionally, law enforcement personnel can be very effective in identifying trouble spots that need to be addressed in some manner.

3.2 Identified Needs

The SCDOT, through their safety program, already evaluates and prioritizes safety projects statewide. **Table 11** is a current list of SCDOT-funded safety projects in the region.

Table 11. ACOG Region Safety Projects, 2014-2019 STIP

COUNTY	PROJECT
Anderson	SC 8 (PELZER HWY) WITH S-485 (ST. PAUL RD)
Anderson	SC 153
Anderson	S-49 (FLAT ROCK RD) MP 0.00 TO MP 9.26
Cherokee	S-34 (TWIN BRIDGE RD)
Cherokee	S-146 (OCONEE ST)
Cherokee	S-146 (E/W OCONEE ST) MP 0.00 TO MP 1.00
Cherokee	S-70 (OLD RACE TRACK RD) MP 0.00 TO MP 2.17
Oconee	SC 24 @ SC 59
Oconee	S-87 @ S-488
Spartanburg	SC 9 @ FOSTER RD
Spartanburg	SC 418 @ FOUNTAIN INN RD

sources including the County's Road Maintenance Fee and Bridges and Culverts Fund, to construct and pave roads, make road improvements, maintain roads and bridges, and address related transportation needs. These programs and funding sources are explained in greater detail in the sections below and in the Priority Investment Element.

1. Statewide Transportation Planning

The South Carolina *Department of Transportation Reform Bill (Act 114)* is intended to encourage sound infrastructure investment decisions made within the context of the statewide planning process. Specifically, *Act 114* requires SCDOT to establish a priority list of projects to be undertaken through the *Statewide Transportation Improvement Program (STIP)* and in consultation with metropolitan planning organizations using the following criteria:

- 1) Financial viability including a life-cycle analysis of estimated maintenance and repair costs over the expected life of the project;
- 2) Public safety;
- 3) Potential for economic development;
- 4) Traffic volume and congestion;
- 5) Truck traffic;
- 6) Pavement quality index;
- 7) Environmental impact;
- 8) Alternative transportation solutions; and
- 9) Consistency with local land use plans.

The 2017–2022 STIP is the State's six-year transportation improvement plan for all projects and program areas that receive federal funding, including paving, bridges, upgrades, freight, safety, congestion mitigation, air quality, transportation alternatives, railroad crossings, planning, State Infrastructure Bank payments, preventative maintenance and operations, and public transportation. The STIP only includes projects for which there is committed funding available.

Planning for sound infrastructure is also a primary goal of the *South Carolina Priority Investment Act of 2007*. The *Priority Investment Act* amends *Section 6-29-1130* of the *South Carolina Code of Laws* and requires that local government comprehensive plans include a separate Transportation Element. The Act requires that the Transportation Element be developed in coordination with the Land Use element to ensure transportation efficiency for existing and planned development. The Act also requires comprehensive plans to include a Priority Investment Element, which must include an analysis of likely Federal, State and local funds available for public infrastructure and facilities, including transportation systems. The Priority Investment Element must also recommend projects for expenditure of these funds over the next ten years, with recommendations coordinated with adjacent and relevant jurisdictions and agencies.

2. Regional Transportation Planning

Transportation planning for Oconee County is provided by the Appalachian Council of Governments (ACOG). ACOG is responsible for conducting the rural transportation planning process for its six-county region in partnership with SCDOT. The primary responsibilities of all designated transportation planning agencies are to:

- 1) Develop a Rural Long Range Transportation Plan (Rural LRTP), which is, at a minimum, a 25-year transportation vision for the metropolitan area;
- 2) Develop a Rural Transportation Improvement Program (RTIP), which is the agreed-upon list of specific projects for which federal funds are anticipated; and
- 3) Develop a Rural Planning Work Program (RPWP), which identifies, in a single document, the annual transportation planning activities that are to be undertaken in support of the goals, objectives, and actions established in the LRTP.

Input on transportation projects is provided through the ACOG public participation plan and by the Regional Transportation Advisory Committee (RTAC), which includes a representative from each county represented by ACOG, including Oconee County. The committee meets quarterly or as needed to review project status, evaluate proposed modifications to the STIP, update the long-range plan and funding priorities, comment on rural functional classification changes, receive input on the rural work programs, and coordinate special studies. The RTAC forwards recommendations for program changes and project prioritization to the Policy Committee (ACOG Board of Directors), which includes six representatives from Oconee County, for final approval.

a. ACOG Rural Long Range Transportation Plan 2040

The Rural LRTP defines the regional goals for transportation, establishes existing and future transportation needs, and allocates projected revenue to transportation programs and projects that address these needs. The ACOG Rural Long Range Transportation Plan 2040, adopted in 2016, identifies a number of transportation improvement projects in Oconee County. Five intersection improvement projects are considered "fiscally constrained" with funding dependent on Guideshare program allocations. The regional Rural LRTP also lists potential projects in Oconee County for which funding has not been identified. Included are six intersection improvement projects, three access management projects, four bridge improvement projects, eight road segments where the condition of the pavement is rated as "poor" and are in need of improvement, and two priority traffic signalization projects.

b. ACOG 2017-2022 Rural Transportation Improvement Program

The 2017-2022 *Rural Transportation Improvement Program (RTIP)* for the ACOG region is a six-year program of transportation capital projects that includes a seven-year estimate of transit



capital and maintenance requirements. While the RTIP is updated as needed, and biennially at a minimum, amendments must go through a rigorous review by ACOG staff, the RTAC, and the public. The RTIP must be financially constrained, meaning that the amount of funding programmed must not exceed the amount of available estimated funding. Specifically, the RTIP identifies transportation improvement projects recommended for advancement during the program years that receive Federal Highway Administration or Federal Transit Administration funds and identifies the criteria and process for prioritization of projects in the RTIP and any changes from past RTIPs. The RTIP also creates an implementation timeline for projects and includes realistic estimates of total costs and revenue for the program period.

The projects proposed by the RTIP for each Council of Government (COG) or Metropolitan Planning Organization (MPO) are evaluated and incorporated into the Statewide TIP by the SCDOT Commission. The 2017-2022 RTIP for the Appalachian COG region was adopted in June 2016. Oconee County projects included in the RTIP, including regional prioritization, are listed in Table 9-6. The funding source for all of these projects is the Federal Surface Transportation Block Grant program, with funding allocated by the SCDOT through the Guideshare program.

Table 9-6. ACOG 2017-2022 Rural TIP Oconee County Guideshare Projects

Priority	Project Description	Budgeted Funds
<i>Intersection Improvements</i>		
1	U.S. Hwy. 123 (Clemson Blvd.) @ Davis Creek Road	▪ \$300,000 in FY 2017 for planning, \$250,000 in FY 2018 for ROW acquisition, \$1 million in FY 2019 for construction
6	S.C. 24 (West Oak Hwy.) @ S.C. Hwy. 182 (Oakway Road)/Oak Creek Road	▪ \$500,000 in FY 2018 for planning, \$350,000 in FY 2020 for ROW acquisition, \$1.8 million in FY 2021 for construction
8	S.C. Hwy. 59 @ S.C. Hwy. 182/S.C. 243	▪ \$1 million in FY 2019 for planning, \$1 million in FY 2021 for ROW acquisition, \$2.5 million in FY 2022 for construction
9	JP Stevens Road @ W. Cherry Road JP Stevens Road @ Martin Creek Road	▪ \$500,000 in FY 2020 for planning, \$250,000 in 2022 for ROW acquisition

Source: ACOG 2017-2022 Rural Transportation Improvement Program, 2019

c. ACOG 2020-2021 Rural Planning Work Program

The *Rural Planning Work Program (RPWP)* identifies work program tasks and presents budget allocations for planning activities to be undertaken in the rural areas of the ACOG region. Tasks identified in the RPWP include administration and planning for transportation projects in the rural portions of the region, coordination of human service transit activities, and coordination of projects with other regional transportation partners. The RPWP is updated annually and documents major transportation planning and related activities for the coming two fiscal years. The most recent RPWP for the Appalachian COG region was adopted in March 2019. The total two-year budget for the 2020-2021 RWTP is \$212,500, of which \$170,000 is expected to be provided by the SCDOT and \$42,500 by local match funding.



3. State and Local Transportation Funding

The State of South Carolina's "C Program" is a partnership between SCDOT and the State's counties to fund local transportation projects and improvements to State, county, and city roads. Program funds, known as C-Funds, are derived from a 2.9925 cents per gallon user tax on gasoline sales. The tax is allocated to each of the 46 counties based on population, land area, and rural road mileage. The allocation per gallon will increase by 0.3325 cent per gallon each fiscal year through 2021, when it will reach a total of 3.99 cents per gallon. As part of the program, each county has a County Transportation Committee (CTC) with members appointed by the county legislative delegation. The three-member Oconee County Transportation Committee is responsible for the formation of a county transportation plan, and is empowered with the authority to select and approve projects to be funded utilizing C-Funds.

C-Funds may be used for construction, improvements, or maintenance on the State highway system; local paving or improvements to county roads; street and traffic signs; and other road and bridge projects. Resurfacing, sidewalk construction, and drainage improvements may also be paid for with C-Funds. By law, counties must spend at least 25 percent of C-Fund allocations on construction, improvements, and maintenance related to the state highway system, with the remaining 75% available for local transportation system projects. The FY 2018-2019 C-Fund apportionment for Oconee County was \$1,951,600 (SCDOT, 2019). The County may request C-Funds based on the annual apportionment amount, however the amount requested by Oconee County has generally been less than \$600,000.

Oconee County residents are also assessed a tax millage of 2.1 for Road Maintenance and 1.0 for Bridges and Culverts maintenance (Oconee County 2018-2019 Budget Document). Revenue budgeted in FY 2018-2019 totaled \$1,171,920 from Road Maintenance and \$530,000 for Bridges and Culverts. Road Maintenance funds are primarily used for road paving, maintenance, and repair, while Bridges and Culverts funds are used to replace and repair the County's bridges and culverts.

Additional funding for transportation projects is also provided from other sources including grants. Oconee County receives grant funding from the U.S. Forest Service (USFS) for transportation improvements. *National Forestry Title I* funding is provided to counties with National Forest lands, with allocation based on gross receipts from all sources such as timber and special permits. The County received \$220,000 in FY 2019 from the National Forestry Title I grant.

4. Road Projects Funding Summary

A summary of allocated and anticipated funding from federal, state, and local sources for transportation projects is outlined in Table 9-7 and is based on recent funding levels.